

MINUTES OF THE PROCEEDINGS

OF

THE COUNCIL

OF THE

CITY OF PITTSBURGH

FOR THE YEAR

1993

VOLUME 127-A

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Ferlo, Jim	Discussion - Bill No. 3169 - Transfer \$37,000.00, Schenley Park Golf Course (REMARKS) Wednesday, September 22, 1993	1708

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Ferlo, Jim	Discussion - Bill No. 3229 - Contract for crack sealing (REMARKS) Wednesday, October 13, 1993	1
Ferlo, Jim	Discussion - Bill No. 3233 - Agreement for Rehabilitation and Modernization of Housing	1
Ferlo, Jim	Discussion - Bill No. 3242 - Agreement for Vendor in connection with Pittsburgh Advocacy Commission on Youth (REMARKS) Wednesday, December 1, 1993	2
Ferlo, Jim	Discussion - Bill No. 3245 - regulations to implement the City's authority to regulate rates to cable service	1
Ferlo, Jim	Discussion - Bill No. 3246 - Communication from John Walluk submitting revised regulations for collection	1
Ferlo, Jim	Discussion - Bill No. 3259 - appointing 29 members to the Youth Advocacy Commission	1
Ferlo, Jim	Discussion - Bill No. 3274 - Ordinance, Title Six, Conduct, Weapons and Firearms (REMARKS) Wednesday, November 23, 1993	2
Ferlo, Jim	Discussion - Bill No. 3295 - Commending individuals of Engineering & Construction for their contributions to "design excellence"	1
Ferlo, Jim	Discussion - Bill No. 3298 - Declaring October 17-23, 1993 as "Fair Trade Week" in the City	1
Ferlo, Jim	Discussion - Bill No. 3299 - Declaring Saturday, October 23, 1993 as "Donald C. Jefferson Day" in the City	1
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Ferlo, Jim	Discussion - Bill No. 3340 - Declaring October 24, 1993 as Teacher/Artist Week in the City	1
Ferlo, Jim	Discussion - Bill No. 3357 - Ordinance for Title Six, Conduct, Refuse Collection and Recycling on Fourth of July Holiday	1
Ferlo, Jim	Discussion - Bill No. 3390 operation of the Allegheny County Residential Finance Authority for permitting tax-exempt transaction	2
Ferlo, Jim	Discussion - Bill No. 3457 - Council to retain own attorney to review Henry Jodzis v. City	2
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Ferlo, Jim	Discussion - Cooperation Agreement - URA and Pittsburgh Technology Center	1866
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Ferlo, Jim	Discussion - information regarding two Public Works employees who were suspended over the March Blizzard	
Ferlo, Jim	Discussion - introduction of legislation for refuse pick-up either the day of or day after a holiday	1
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Ferlo, Jim	Discussion - list of any outstanding requests for information from the Administration in the previous year and legislation for the consultant on Lead Prevention Commission	

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Ferlo, Jim	Discussion - public hearing on take over of Phipps Conservatory	
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Ferlo, Jim	Discussion - rebuilding the City's tax base by encouraging riverboat gambling	1
Ferlo, Jim	Discussion - regulating Cable Television rates	1
Ferlo, Jim	Discussion - reimbursing fees to citizens that use City facilities through permits	1
Ferlo, Jim	Discussion - relative information pertaining to amendments to the budget	2
Ferlo, Jim	Discussion - rescind the motion to vacate the Presidency of Council that took place on January 26, 1993	
Ferlo, Jim	Discussion - Shadyside Parking issue	1
Ferlo, Jim	Discussion - setting hearing dates for Housing Meeting and televise hearing on the reservoir issue	1
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Ferlo, Jim	Discussion - Tabling Bill No. 2058 - Contract for the purchase of Emergency Information System/Chemical LAN Software, \$13,000.00	
Ferlo, Jim	Discussion - TCI rate regulations	
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Ferlo, Jim	Discussion - the appointments to the Human Relations Commission	1
Ferlo, Jim	Discussion - the bidding of "B" contracts	
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Gaines, Ms.	Acceptance - Bill No. 1951 - recognizing Gaines Funeral Home for responding to the needs of Pittsburghers
Gold, Mr.	Acceptance - Bill No. 2585 - Proclaiming May 12 through May 16, 1993 as "Be A Sport Days" in the City
Gonzales, Mr.	Acceptance - Bill No. 2754 - Commending Fineview Youth Council for accepting their civic responsibilities through the adoption of Fineview Park
Gratton, Ms.	Acceptance - Bill No. 2557 - Declaring the Week of May 10 through May 14, 1993 as "Citiparks Senior Center Week" in the City
Griffin, Ms.	Acceptance - Bill No. 2832 - Commending the Health Education Center's Partnerships In Prevention for the ability to positively change the lifestyle of a deserving population
Grimberg, Mr.	Acceptance - Bill No. 2581 - Declaring May 16, 1993 to be Jewish Education Institute of Pittsburgh Day in the City
Grimes, Lois	Acceptance - Bill No. 2907 - Supporting efforts of local 13550 of the Communication Workers of America and AT&T Official to normalize relations with Cuba
Griner, Mr.	Acceptance - Bill No. 2487 - Declaring Sunday, April 25, 1993 as "Pittsburgh March Committee Day" in the City
Gross, Mr.	Acceptance - Bill No. 2839 - Stating that Fisher Scientific is violating acceptable labor relations standard
Gross, Mr.	Acceptance - Bill No. 2910 - Redouble efforts to communicate to Fisher that the situation with the 77 locked out workers must be resolved
Haley, Dr.	Acceptance - Bill No. 1953 - proclaiming February 12, 1993 as "Urban League Day" in the City
Haluszczak, Mr.	Acceptance - Bill No. 3255 - Declaring October 9-10, 1993 as "Ukrainian Renaissance Fair at the Cathedral Days" in the City
Hamidi, Mrs.	Acceptance - Bill No. 3079 - Declaring Friday, September 17, 1993 as "Marco DePaulo Day" in the City
Hanley, Mr.	Acceptance - Bill No. 3341 - Declaring the week of October 24-30, 1993 to be Red Ribbon Week in the City

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Jakell, Ms.	Acceptance - Bill No. 2460 - Declaring April 13, 1993 to be "Jennifer Papale, Jennifer Jakel and Stephanie Maietta Day" in the City	557
Jefferson, Mr.	Acceptance - Bill No. 2927 - Proclaiming July 19 - July 25, 1993 to be "Jobs, Justice and Peace Week" in the City	1333
Jones, Bishop	Acceptance - Bill No. 2875 - Declaring Tuesday, July 6, 1993 as "Bishop Wade Jones Day" in the City	1256
Jones, Mr.	Acceptance - Bill No. 3197 - Recognizing the importance of neighborhood beautification	1644
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Kelly, Major	Acceptance - Bill No. 3296 - Declaring Saturday, October 23, 1993 as "Project Bundle-Up Day" in the City	1
Kelly, Mr.	Acceptance - Bill No. 3198 - Recognizing the invaluable role that the Pittsburgh Fire Department plays in keeping the City safe	1
Kennedy, Chief	Acceptance - Bill No. 2136 - Declaring March 15-21 as "Black Paramedic Council Week" in the City	
Kennedy, Chief	Acceptance - Bill No. 3485 - Recognizing the courageous actions by William and Kim Stuart and Assistant Chief Therese Rocco in administering CPR	2
Kenney, Ms.	Acceptance - Bill No. 2207 - Recognizing the commitment and service of Sarah Vukelich Evosevich to her adopted country	
King, Mr.	Acceptance - Bill No. 1999 - commending all Department of Public Safety personnel, the residents and merchants of the community of Bloomfield	
King, Mr.	Acceptance - Bill No. 3198 - Recognizing the invaluable role that the Pittsburgh Fire Department plays in keeping the City safe	1
Klepick, Mr.	Acceptance - Bill No. 3341 - Declaring the week of October 24-30, 1993 to be Red Ribbon Week in the City	1
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Knox, Ms.	Acceptance - Bill No. 2484 - Declaring the week of April 12-19, 1993 as "Take Back The Night Week" in the City	
Komichak, Mr.	Acceptance - Bill No. 2716 - Proclaiming Sunday, June 6, 1993 as "Day of Sorrow" in commemorating the victims of the Great Famine	
Kopper, Joseph	Acceptance - Bill No. 2911 - Declaring Tuesday, July 13, 1993 as "Joseph M. Kopper Day" in the City	1
Kreck, Ms.	Acceptance - Bill No. 1853 - Urging the U.S. Congress and the Commonwealth of PA to maintain efforts to adequately fund the Low Income Home Energy Assistance Program	
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Lotz, Mr.	Acceptance - Bill No. 3084 - Declaring Friday, September 7, 1993 as "Forget-Me-Not Drive Day" in the City	1535
Ludlow, Reverend	Acceptance - Bill No. 2780 - Declaring June 16, 1993 as The Day of The African Child throughout the City	1010
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Madoff, Michelle	Discussion - asking the Administration to put more police officers in the more troubled areas of the City	
Madoff, Michelle	Discussion - Bill No. 1423 - nonelectoral debt for General Obligation Bonds, \$25,000,000	
Madoff, Michelle	Discussion - Bill No. 1611 - Ordinance supplementing Title X - BOCA, Right to Deem Unsafe and Cost Recovery regarding drug houses	
Madoff, Michelle	Discussion - Bill No. 1765 - warrant in favor of William Lowman for \$3,000.00	
Madoff, Michelle	Discussion - Bill No. 1785 - resolution requiring the Administration to notify City Council within three days of all "B" Contracts awarded by the City	
Madoff, Michelle	Discussion - Bill No. 1786 - Bureau of Cable Communications to cablecast any Post Agenda Meeting	
Madoff, Michelle	Discussion - Bill No. 1802 - recognizing the outstanding efforts of the DARE program officers, Ronald Franz and Alex McClelland	
Madoff, Michelle	Discussion - Bill No. 1807 - Home Rule Charter, Article 3, Section 312, construction of two fire stations constructed on Arlington Avenue and on Woods Run	
Madoff, Michelle	Discussion - Bill No. 1812 - Ordinance supplementing Title II, Fiscal, Article IX - Property Taxes, Chapter 263, Real Property Tax, creating a real property tax exemption program	
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Madoff, Michelle	Discussion - Bill No. 2625 - Ordinance Title Nine, changing from Special District to Limited Industrial District, Crown Wrecking Company, Inc.	1
Madoff, Michelle	Discussion - Bill No. 2626 - Ordinance, Title Five - Towing Charges	1
Madoff, Michelle	Discussion - Bill No. 2676 - Ordinance for reorganization of Council	
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Madoff, Michelle	Discussion - Bill No. 2877 - Recognizing the Mon Valley Unemployed Committee for their hard work in achieving legislation which removed welfare liens from homes of 110,000 Pennsylvanians	1259
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Madoff, Michelle	Discussion - Bill No. 3457 - Council to retain own attorney to review Henry Jodzis v. City
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O'Connor, Bob	Discussion - Bill No. 3034 - Congratulating the United States Coast Guard, the 1993 "Riverperson of the Year", Gene Connelly	1
O'Connor, Bob	Discussion - Bill No. 3074 - Declaring August 22 through August 26, 1993 as "Maccabi Youth Games Days" in the City	1
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O'Leary, Ms.	Acceptance - Bill No. 3409 - Recognizing all involved for their dedication to success of Incarnation Academy's cheerleading squad	1
Odellia, Ms.	Acceptance - Bill No. 3484 - Proclaiming November 26 through December 4 as "Home Care Week" in the City	2
Oliveri, Father	Acceptance - Bill No. 1999 - commending all Department of Public Safety personnel, the residents and merchants of the community of Bloomfield	
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Onorato, Dan	Discussion - 2515 - Commending Daidra Younger for her effort toward community excellence	1
Onorato, Dan	Discussion - amendments to Bill No. 2571 - Phipps Conservatory Lease	
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Onorato, Dan	Discussion - Bill No. - 3303 - Proclaiming October 20, 1993 as "Joseph Zunic Day" in the City	
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Onorato, Dan	Discussion - Bill No. 2179 - Contract for Construction of the Courts Facility Foundation, Package 1 of Phase I	
Onorato, Dan	Discussion - Bill No. 2201 - Declaring Thursday, April 1, 1993 to be "Preschool Development Programs Day" in the City	
Onorato, Dan	Discussion - Bill No. 2206 - recognizing the Student Ambassadors for participating in the People to People International overseas project	
Onorato, Dan	Discussion - Bill No. 2223 - Agreement with Community Based Organizations, \$600,000.00 (REMARKS) Wednesday, April 14, 1993	
Onorato, Dan	Discussion - Bill No. 2462 - Congratulating North Catholic Trojanettes for winning both the WPIAL and PIAA Class AAA Girls' Basketball Championship	
Onorato, Dan	Discussion - Bill No. 2483 - Saluting the FOP's 25th Annual Retirement Party	
Onorato, Dan	Discussion - Bill No. 2491 - Congratulating the Perry Traditional Academy Girls' Basketball Team for capturing the Class AAA City League Girls' Basketball Title	
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Onorato, Dan	Discussion - Bill No. 2525 - Ordinance amending Pittsburgh Code, Title Six, Conduct, Chapter 603, Parades and Crowds, Permit Fees (REMARKS) Wednesday, May 5, 1993	
Onorato, Dan	Discussion - Bill No. 2571 - Lease Agreement with Phipps Conservatory, Inc., \$2,100,000	1
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Onorato, Dan	Discussion - Bill No. 3105 - Tax Incremental Financing Plan	1
Onorato, Dan	Discussion - Bill No. 3105 - Tax Incremental Financing Plan (REMARKS) Wednesday, November 3, 1993	1
Onorato, Dan	Discussion - Bill No. 3151 - Lease Agreement with Zoological Society	2
Onorato, Dan	Discussion - Bill No. 3201 - appointing James Rooney to City Planning Commission	1
Onorato, Dan	Discussion - Bill No. 3212 - Cooperation Agreement with Allegheny County implementing Police Horse (REMARKS) Wednesday, September 29, 1993	1
Onorato, Dan	Discussion - Bill No. 3222 - Declaring the week of October 3-9, 1993 as "Fire Prevention Week" in the City	1
Onorato, Dan	Discussion - Bill No. 3229 - Contract for crack sealing	1
Onorato, Dan	Discussion - Bill No. 3233 - Agreement for Rehabilitation and Modernization of Housing	1
Onorato, Dan	Discussion - Bill No. 3254 - Recognizing all those honored at the 1993 Columbus Day Parade and Festival	1
Onorato, Dan	Discussion - Bill No. 3274 - Ordinance, Title Six, Conduct, Weapons and Firearms	2
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Onorato, Dan	Discussion - Bill No. 3300 - Recognizing the staff of Centers for Victims of Violent Crime on the First Annual Run For Victims	1
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Onorato, Dan	Discussion - introduction of legislation for refuse pick-up either the day of or day after a holiday	1
Onorato, Dan	Discussion - issues of the Public Works facilities in our parks	1
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Onorato, Dan	Discussion - Moose Building on the North Side	
Onorato, Dan	Discussion - Municipal Retiree Life Insurance	1
Onorato, Dan	Discussion - meeting with various representatives at higher levels of government regarding criminal activity	1
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Owens, Mr.	Acceptance - Bill No. 2074 - Recognizing Eddie's Restaurant as a Historical Landmark and Pittsburgh Tradition	
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Papale, Ms.	Acceptance - Bill No. 2460 - Declaring April 13, 1993 to be "Jennifer Papale, Jennifer Jakel and Stephanie Maietta Day" in the City	
Paradise, Ms.	Acceptance - Proclaiming May 9-15, 1993 as "National Preservation Week" in the City	
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Ricciardi, Gene	Discussion - increase in violence affecting City services	2168
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Ricciardi, Gene	Discussion - post agenda on traffic signal and the walk, do not walk lights at 21st and Carson	678
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Ricciardi, Gene	Discussion - stating that the pedestrian lights at 21st and Carson Street have been energized	1
Ricciardi, Gene	Discussion - support for the United Jitney Station of Pittsburgh	1
Ricciardi, Gene	Discussion - swimming pool safety	1
Ricciardi, Gene	Discussion - Tabling Bill No. 2058 - Contract for the purchase of Emergency Information System/Chemical LAN Software, \$13,000.00	
Ricciardi, Gene	Discussion - the bidding of "B" contracts	
Ricciardi, Gene	Discussion - the breakdown on offenses and crimes for 1991-92	
Ricciardi, Gene	Discussion - the financial situation of the City in the eyes of the Controller and the Director of Finance	1
Ricciardi, Gene	Discussion - the increase of problems in punishing youths that commit crimes	
Ricciardi, Gene	Discussion - the issue of speeding and vascar in South Side	1
Ricciardi, Gene	Discussion - the issue of visibility of police officers on the streets	1
Ricciardi, Gene	Discussion - the privilege of free postage stamps through the City	
Ricciardi, Gene	Discussion - tribute to the late Jake Milliones	
Ricciardi, Gene	Discussion - Brashear Association's Annual Dinner, Brew House Tour and article For Officer, Gang Terror Hits Home	1
Riffle, Reverend	Acceptance - Bill No. 3251 - Declaring Tuesday, October 5, 1993 as "Interfaith Volunteer Caregivers Day" in the City	1
Rifkin, Mr.	Acceptance - Bill No. 2153 - Proclaiming March 18, 1993 through April 2, 1993 as "Greek Week" in the City	
Roberta, Sister	Acceptance - Bill No. 3409 - Recognizing all involved for their dedication to success of Incarnation Academy's cheerleading squad	1
Robinson, Dan	Acceptance - Bill No. 3584 - Declaring December 21, 1993 as Homeless Memorial Day in the City	2
Robinson, Mr.	Acceptance - Bill No. 3160 - Wishing Pittsburgh Pro Sports, Inc. much success	1
Robinson, Ms.	Acceptance - Bill No. 2488 - Proclaiming the week of April 18-24, 1993 as "African-American Cancer Awareness Week" in the City	
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Roddey, Mr.	Acceptance - Bill No. 3480 - Congratulating James C. Roddey for years of service to the Pittsburgh Community	2045
Romba, Sue	Acceptance - Bill No. 3481 - Commending the Women's Center and Shelter of Greater Pittsburgh for its excellent service to the Pittsburgh Community	2047
Rosen, Mr.	Acceptance - Bill No. 2714 - Recognizing the Lawrenceville Boys and Girls Club, Pressure Chemical Company and Melissa A. Title for dedication to their Community	951
Rosenfeld, Rabbi	Acceptance - Bill No. 2077 - Declaring Tuesday, March 2, 1993 to be "Yeshiva Schools Day" in the City	258
Sanza, Mr.	Acceptance - Bill No. 2513 - Proclaiming May 7, 1993 as "Barrier Awareness and Forging A New Freedom Day" in the City	683
Schaeffer, Mr.	Acceptance - Bill No. 3435 - Declaring Wednesday, November 17, 1993 to be "Cancer Support Network Day" in the City	1982
Schlenke, Ms.	Acceptance - Bill No. 1800 - declaring Tuesday, January 12, 1993 to be "Helen Schlenke Day" in the City	8
Sciulli, Director	Acceptance - Bill No. 3295 - Commending individuals of Engineering & Construction for their contributions to "design excellence"	1826
Scullion, Ms.	Acceptance - Bill No. 1999 - commending all Department of Public Safety personnel, the residents and merchants of the community of Bloomfield	168
Seltman, Ms.	Acceptance - Bill No. 3435 - Declaring Wednesday, November 17, 1993 to be "Cancer Support Network Day" in the City	1982
Seneca, Mr.	Acceptance - Bill No. 2749 - Congratulating The Peabody Boys Track Team for their championship season	976
Sherreath, Armi	Acceptance - Bill No. 3558 - Declaring December 7, 1993 as Pittsburgh Hill District Wildcats Might Mites Day in the City	2127
Shields, Mr.	Acceptance - Bill No. 3483 - Declaring December 5-11, 1993 to be Amnesty International/Human Rights Week in the City	2048
Shore, Dr.	Acceptance - Bill No. 1949 - Declaring Tuesday, February 9, 1993 to be "Barbara K. Shore Day" in the City	130
Shuttleworth, Ms.	Acceptance - Bill No. 2836 - Declaring Tuesday, June 29, 1993 as "David McGee Day" in the City	1212

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Smith, Christopher	Acceptance - Bill No. 3573 - Commending George Westinghouse High School Bulldog Football Team on their 1993 Championship Season	2
Smith, Christopher	Discussion - acceptance speech for his newly elected office of City Council	
Smith, Christopher	Discussion - amendments to Bill No. 2571 - Phipps Conservatory Lease	1
Smith, Christopher	Discussion - Bill No. - 3303 - Proclaiming October 20, 1993 as "Joseph Zunic Day" in the City	1
Smith, Christopher	Discussion - Bill No. 2571 - Lease Agreement with Phipps Conservatory, Inc., \$2,100,000	1
Smith, Christopher	Discussion - Bill No. 2625 - Ordinance Title Nine, changing from Special District to Limited Industrial District, Crown Wrecking Company, Inc.	1
Smith, Christopher	Discussion - Bill No. 2626 - Ordinance, Title Five - Towing Charges	1
Smith, Christopher	Discussion - Bill No. 2665 - URA property sale in the 18th Ward	1
Smith, Christopher	Discussion - Bill No. 2676 - Ordinance for reorganization of Council	
Smith, Christopher	Discussion - Bill No. 2703 - easement for Riverside Associates, Inc.	1
Smith, Christopher	Discussion - Bill No. 2726 - contracts for Greenways, \$50,000.00	1
Smith, Christopher	Discussion - Bill No. 2733 - URA agreement of sale to acquire title in fee for certain piece of ground, public safety complex for streets (REMARKS) Wednesday, June 16, 1993	1
Smith, Christopher	Discussion - Bill No. 2740 - Contract for Planting and Tree Replacement in Various Business Districts (REMARKS) Wednesday, June 23, 1993	1
Smith, Christopher	Discussion - Bill No. 2753 - Congratulating Mrs. Hightower for service to the community, on the celebration of her 95th Birthday	
Smith, Christopher	Discussion - Bill No. 2800 - Conditional Use for 111-115 Central Avenue	1
Smith, Christopher	Discussion - Bill No. 2818 - Ordinance on playground safety	1
Smith, Christopher	Discussion - Bill No. 2838 - Urging the President and the U.S. Congress to remove the statue of Albert Pike, Grand Dragon of the Ku Klux Klan	1
Smith, Christopher	Discussion - Bill No. 2864 - Block 42-D Lot 157, URA and James & Margaret Karis, \$300.00	1
Smith, Christopher	Discussion - Bill No. 2889 - Ordinance Title Six, Refuse Collection by deleting Dept. of Environmental Services	1
Smith, Christopher	Discussion - Bill No. 2894 - Police and BBI submit to Council a "NUISANCE PROPERTY MASTER LIST"	1

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Smith, Christopher	Discussion - Bill No. 3098 - Agreement with Penn Hills and ALCOSAN	1701
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Smith, Christopher	Discussion - Bill No. 3198 - Recognizing the invaluable role that the Pittsburgh Fire Department plays in keeping the City safe	1648
Smith, Christopher	Discussion - Bill No. 3201 - appointing James Rooney as Member of City Planning Commission	1739
Smith, Christopher	Discussion - Bill No. 3256 - Proclaiming the month of October, 1993 as "Local Chamber of Commerce Month" in the City	1733
Smith, Christopher	Discussion - Bill No. 3264 - License Agreement with Equitable Gas (REMARKS) Wednesday, October 20, 1993	1898
Smith, Christopher	Discussion - Bill No. 3296 - Declaring Saturday, October 23, 1993 as "Project Bundle-Up Day" in the City	1831
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Smith, Christopher	Discussion - Bill No. 3343 - Declaring Saturday, October 30, 1993 as Jake Milliones Day in the City	1888
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Smith, Christopher	Discussion - Bill No. 3357 - Ordinance for Title Six, Conduct, Refuse Collection and Recycling on Fourth of July Holiday	1999
Smith, Christopher	Discussion - Bill No. 3390 operation of the Allegheny County Residential Finance Authority for permitting tax-exempt transaction	2018

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Smith, Christopher	Discussion - Bill No. 3584 - Declaring December 21, 1993 as Homeless Memorial Day in the City	2
Smith, Christopher	Discussion - Bill No. 740 - anti-loitering ordinance	1
Smith, Christopher	Discussion - Bill No. 740 - anti-loitering ordinance (REMARKS) Wednesday, July 28, 1993	1
Smith, Christopher	Discussion - Bill No. 740 - Ordinance Title Six, Conduct, Chapter 601, Loitering for the Purpose of Engaging in Drug Related Activities	1
Smith, Christopher	Discussion - Bill No. - appointing as advisory committee to explore alternatives to Highland Reservoir No. 1	1
Smith, Christopher	Discussion - Bill No. 3379 - Amending Rule VI of Rules of Council, PA Act 20 of 1993	1
Smith, Christopher	Discussion - Bill No. 3453 - transfer of \$350,000.00 Worker's Compensation to Premium Pay, Bureau of Fire (REMARKS) Wednesday, November 23, 1993	2
Smith, Christopher	Discussion - Bill No. 3558 - Declaring December 7, 1993 as Pittsburgh Hill District Wildcats Mighty Mites Day in the City	2
Smith, Christopher	Discussion - Bill Nos. 2880-2885 - various reappointments to the Human Relations Commission	1
Smith, Christopher	Discussion - Bill Nos. 2947 and 2948 - Contracts for purchase of general supplies during the calendar year 1994 (REMARKS) Wednesday, August 11, 1993	1
Smith, Christopher	Discussion - City employees' health insurance coverage	1
Smith, Christopher	Discussion - City resident should get service for the fees that they pay at facilities throughout the City	1
Smith, Christopher	Discussion - complaints within a City department concerning a racial issue	1
Smith, Christopher	Discussion - congratulating Councilman Smith for entering the Vintage Grand Prix Race	1
Smith, Christopher	Discussion - crime in the Housing projects and lack of Housing Police	1
Smith, Christopher	Discussion - Disposition of Land for Center City Apartments Associates	1
Smith, Christopher	Discussion - debris from the construction site on the main entry into Schenley Heights	1
Smith, Christopher	Discussion - decision on taxing the Schenley Golf Course	1
Smith, Christopher	Discussion - increasing of violent crimes in Pittsburgh	1
Smith, Christopher	Discussion - introduction of legislation for refuse pick-up either the day of or day after a holiday	1

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Smith, Christopher	Discussion - part-time employees in the City	2118
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Smith, Christopher	Discussion - stating that the dispute between the City and the Pirates is embarrassing	1529
Smith, Christopher	Discussion - support for the United Jitney Station of Pittsburgh	1870
Smith, Christopher	Discussion - swimming pool safety	1427
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Smith, Christopher	Discussion - wanting a picture of the 1993 Councilmembers	2225
Smith, Christopher	Discussion - wishing good luck to Michelle Madoff	2173
Smith, Christopher	Discussion - wishing Jack Wagner well in his future endeavors	2227
Smith, Christopher	Discussion - No. 3299 - Declaring Saturday, October 23, 1993 as "Donald C. Jefferson Day" in the City	1841
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Smith, Mr.	Acceptance - Bill No. 2957 - Declaring July 31, 1993 as "Nate Smith Day" in the City	1381
Smith, Reverend	Discussion - opening prayer for the swearing in ceremony for Councilman Smith	969
Smoot, Ms.	Acceptance - Bill No. 3343 - Declaring Saturday, October 30, 1993 as Jake Milliones Day in the City	1889
Speaker	Acceptance - Bill No. 1913 - congratulating brothers and sisters William H. Trower, Sara Trower-Martin, John Trower and Cecelia Epperson for keeping alive family tradition	102
Speaker	Acceptance - Bill No. 2030 - Recognizing the 1993 Renaissance Too Publication Trailblazer Awardees for their exemplary service to the African American community	208

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Speaker	Acceptance - Bill No. 2031 - congratulating Pryor Furs, Ind. for 45 years of business
Speaker	Acceptance - Bill No. 2031 - congratulating Pryor Furs, Ind. for 45 years of business
Speaker	Acceptance - Bill No. 2032 - Extending best wishes to the Pennsylvania Black Conference On Higher Education, Inc.
Speaker	Acceptance - Bill No. 2154 - Recognizing Coach Joe Bellante and Assistant Coach John Bey who give unselfishly to empower youth with positive choices and personal development
Speaker	Acceptance - Bill No. 2201 - Declaring Thursday, April 1, 1993 to be "Preschool Development Programs Day" in the City
Speaker	Acceptance - Bill No. 2461 - Recognizing Bill Knight, John Stokes, Travis Wieckowski and Jill Ziolkowski for their outstanding contributions of leadership
Speaker	Acceptance - Bill No. 2461 - Recognizing Bill Knight, John Stokes, Travis Wieckowski and Jill Ziolkowski for their outstanding contributions of leadership
Speaker	Acceptance - Bill No. 2584 - Proclaiming May 16, 1993 as "Seniors With Spirit Day" in the City
Speaker	Acceptance - Bill No. 2584 - Proclaiming May 16, 1993 as "Seniors With Spirit Day" in the City
Speaker	Acceptance - Bill No. 2584 - Proclaiming May 16, 1993 as "Seniors With Spirit Day" in the City
Speaker	Acceptance - Bill No. 2585 - Proclaiming May 12 through May 16, 1993 as "Be A Sport Days" in the City
Speaker	Acceptance - Bill No. 2585 - Proclaiming May 12 through May 16, 1993 as "Be A Sport Days" in the City
Speaker	Acceptance - Bill No. 2585 - Proclaiming May 12 through May 16, 1993 as "Be A Sport Days" in the City
Speaker	Acceptance - Bill No. 2647 - recognizing the the winners of the Miss Black Teenage Beauty and Talent Pageant
Speaker	Acceptance - Bill No. 2647 - recognizing the the winners of the Miss Black Teenage Beauty and Talent Pageant
Speaker	Acceptance - Bill No. 2647 - recognizing the the winners of the Miss Black Teenage Beauty and Talent Pageant

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Speaker	Acceptance - Bill No. 2688 - Declaring the week of July 11-19, 1993 to be "United States - Cuba Friendship Week" in the City	922
Speaker	Acceptance - Bill No. 2714 - Recognizing the Lawrenceville Boys and Girls Club, Pressure Chemical Company and Melissa A. Title for dedication to their Community	951
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Speaker	Acceptance - Bill No. 2928 - Declaring July 18 through July 25, 1993 as "PITTSBURGH VINTAGE GRAND PRIX RACE WEEK" in the City	1336
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Speaker	Acceptance - Bill No. 3436 - Proclaiming the month of November, 1993 as "Alzheimer's Disease Awareness Month" in the City	1884
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Speaker	Acceptance - Bill No. 3437 - Welcoming the Israeli delegation to the City	1985
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Speaker	Acceptance - Bill No. 3409 - Recognizing all involved for their dedication to success of Incarnation Academy's cheerleading squad	1
Speaker	Acceptance - Bill Nos. 2079 - 2080 bargaining contracts for District 1199P, Service Employees International Union and AFL-CIO	
Speaker	Acceptance - Bill Nos. 2079 - 2080 bargaining contracts for District 1199P, Service Employees International Union and AFL-CIO	
Speaker	Acceptance - Bill Nos. 2079 - 2080 bargaining contracts for District 1199P, Service Employees International Union and AFL-CIO	
Speaker	Acceptance - Bill Nos. 2833 & 2834 contest from various Elementary Schools and High Schools throughout the City for "Just Say No" posters and "Drugs, Guns and Gang Violence in Pittsburgh: Solutions From a Teenager's Point of View" Essay Contest	1
Spruill, Ms.	Acceptance - Bill No. 2554 - Proclaiming May 4, 1993 to be United Cerebral Palsy Association of Pittsburgh Day in the City	
Stoessel, Miss	Acceptance - Bill No. 3342 - Congratulating Jennifer Stoessel for receiving the McMillan Publishing Company Scholarship	1
Stouffer, Ms.	Acceptance - Bill No. 3197 - Recognizing the importance of neighborhood beautification	1
Straut, Mr.	Acceptance - Bill No. 2956 - Encouraging property owners on the waterfront to post Water Safety Signs	1
Stroup, Mr.	Acceptance - Thursday, October 28, 1993 as EASTSIDE ALLIANCE DAY in the City	1
Student	Acceptance - Bill No. 3196 - Declaring Wednesday, September 22, 1993 to be "Linden Elementary School Day" in the City	1
Suber, Ms.	Acceptance - Bill No. 2754 - Commending Fineview Youth Council for accepting their civic responsibilities through the adoption of Fineview Park	
Sucov, Ms.	Acceptance - Bill No. 3251 - Declaring Tuesday, October 5, 1993 as "Interfaith Volunteer Caregivers Day" in the City	1
Thomas, Mr.	Acceptance - Bill No. 2584 - Proclaiming May 16, 1993 as "Seniors With Spirit Day" in the City	

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Title, Melissa	Acceptance - Bill No. 2714 - Recognizing the Lawrenceville Boys and Girls Club, Pressure Chemical Company and Melissa A. Title for dedication to their Community	951
Torisky, Mr.	Acceptance - Bill No. 2928 - Declaring July 18 through July 25, 1993 as "PITTSBURGH VINTAGE GRAND PRIX RACE WEEK" in the City	1337
Trunzo, Mr.	Acceptance - Bill No. 3254 - Recognizing all those honored at the 1993 Columbus Day Parade and Festival	1731
Tucker, Mr.	Acceptance - Bill No. 3407 - Proclaiming November 14, 1993 as "Jewish Sports Hall of Fame Day" in the City	1935
Turner, Mr.	Discussion - Bill No. 2571 - Lease Agreement with Phipps Conservatory, Inc., \$2,100,000	1042
Tuscano, Mr.	Acceptance - Bill No. 2907 - Supporting efforts of local 13550 of the Communication Workers of America and AT&T Official to normalize relations with Cuba	1289
Udin, Mr.	Acceptance - Bill No. 1829 - recognizing Robert L. Vann Elementary School for its work in "bridge building" with the seniors of K. Leroy Irvis Towers	26
Valenti, Ms.	Acceptance - Bill No. 2688 - Declaring the week of July 11-19, 1993 to be "United States - Cuba Friendship Week" in the City	922
Vasser, Dr.	Acceptance - Bill No. 2782 - Declaring Saturday, June 18, 1993 as Dr. Theodore R. Vasser, Jr. Day in the City	1015
Vincunas, Principal	Acceptance - Bill No. 2486 - Congratulating Oakland Catholic High School Eagles for achieving the PIAA Class AAAA Girls' Basketball Championship	641
Vitale, Coach	Acceptance - Bill No. 2243 - Congratulating the Carrick High School Raiders for the AAAA City League Basketball Championship	478
Vitunac, Ms.	Acceptance - Bill No. 2204 - Proclaiming March, 1993 as "Eye Donor Month" in the City	425
Wagner, Jack	Acceptance - Bill No. 2462 - Congratulating North Catholic Trojanettes for winning both the WPIAL and PIAA Class AAA Girls' Basketball Championship	561
Wagner, Jack	Discussion - a bill for brick replacement	1514
Wagner, Jack	Discussion - amendments to Bill No. 2571 - Phipps Conservatory Lease	1160
Wagner, Jack	Discussion - Bill No. 3440 - Recognizing the United States Postal Employees for their commitment	1990
Wagner, Jack	Discussion - Bill No. - 3303 - Proclaiming October 20, 1993 as "Joseph Zunic Day" in the City	1846

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Wagner, Jack	Discussion - Bill No. 1178 - Ordinance Title Nine, Signs Regulations (REMARKS) Wednesday, September 29, 1993	1
Wagner, Jack	Discussion - Bill No. 1423 - nonelectoral debt for General Obligation Bonds, \$25,000,000	
Wagner, Jack	Discussion - Bill No. 1765 - warrant in favor of William Lowman for \$3,000.00	
Wagner, Jack	Discussion - Bill No. 1812 - Ordinance supplementing Title II, Fiscal, Article IX - Property Taxes, Chapter 263, Real Property Tax, creating a real property tax exemption program (REMARKS) Wednesday, February 10, 1993	
Wagner, Jack	Discussion - Bill No. 1829 - recognizing Robert L. Vann Elementary School for its work in "bridge building" with the seniors of K. Leroy Irvis Towers	
Wagner, Jack	Discussion - Bill No. 1830 - appointing Irene McLaughlin as City Magistrate	
Wagner, Jack	Discussion - Bill No. 1904 - Agreement for NBIS Update Bridge Inspection of the Schenley Park Bridges (REMARKS) Wednesday, February 10, 1993	
Wagner, Jack	Discussion - Bill No. 1908 - petition from the residents on the issue of the Mayor's Annual Report on Military Spending	
Wagner, Jack	Discussion - Bill No. 1923 - Agreements Brookline Businessmen's Little League, \$1,000.00 (REMARKS) Wednesday, February 10, 1993	
Wagner, Jack	Discussion - Bill No. 1924 - Community Statement in connection with the 1992 CDBG Program, Dept. of City Planning, Dept. of Parks & Recreation	
Wagner, Jack	Discussion - Bill No. 1953 - proclaiming February 12, 1993 as "Urban League Day" in the City	
Wagner, Jack	Discussion - Bill No. 1969 - Agreement with Commonwealth of PA for reimbursement to City for cost for salting and snow plowing	
Wagner, Jack	Discussion - Bill No. 1987 - Warrant for Public Strategies, Inc., \$3,200.00 (REMARKS) Wednesday, February 24, 1993	
Wagner, Jack	Discussion - Bill No. 2024 - Ordinance Title One, Code of Conduct (known as the Ethics Bill) (REMARKS) Wednesday, February 24, 1993	
Wagner, Jack	Discussion - Bill No. 2034 - Proclaiming February 26, 1993 as "Mary Carnevale Day" in the City	
Wagner, Jack	Discussion - Bill No. 2044 - Ordinance - Title One - Administrative, Chapter 133, Dept. of Environmental Services, Section 119.02, Powers and Duties of Director	
Wagner, Jack	Discussion - Bill No. 2058 - Contract for the purchase of Emergency Information System/Chemical LAN Software, \$13,000.00 (REMARKS) Wednesday, March 10, 1993	

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Wagner, Jack	Discussion - Bill No. 2089 - Cooperation Agreement for Manchester Project, \$550,000.00 and Bill Nos. 2088 - Application for financial assistance for the Manchester Project (REMARKS) Wednesday, March 17, 1993	400
Wagner, Jack	Discussion - Bill No. 2097 - Warrant for Noralco Corporation, \$25,535.61 (REMARKS) Wednesday, March 17, 1993	396
Wagner, Jack	Discussion - Bill No. 2111 - Warrant in favor of American Rent A Ride, \$813.66	451
Wagner, Jack	Discussion - Bill No. 2125 - URA and Carnegie Mellon University, parcel 2, Redevelopment Area No. 50	516
Wagner, Jack	Discussion - Bill No. 2125 - URA and CMU for the sale of Parcel 2, Subdistrict 1 - West, 4th Ward	459
Wagner, Jack	Discussion - Bill No. 2136 - Declaring March 15-21 as "Black Paramedic Council Week" in the City	327
Wagner, Jack	Discussion - Bill No. 2147 - Lease Agreement with CMU to operate the Schenley Park Golf Course (REMARKS) Wednesday, March 31, 1993	520
Wagner, Jack	Discussion - Bill No. 2168 - Contract for repaving various areas in the City (REMARKS) Wednesday, April 7, 1993	600
Wagner, Jack	Discussion - Bill No. 2179 - Contract for Construction of the Courts Facility Foundation, Package 1 of Phase I	618
Wagner, Jack	Discussion - Bill No. 2185 - Agreement with Rehabilitation of a portion of Ft. Pitt Blvd - Eastbound (REMARKS) Wednesday, April 7, 1993	606
Wagner, Jack	Discussion - Bill No. 2188 - License Agreement PA Dept. of Environmental Resources (REMARKS) Wednesday, April 7, 1993	609
Wagner, Jack	Discussion - Bill No. 2208 - Joining in the execution the Borough of West Homestead's application to become a member of the Steel Valley Authority	430
Wagner, Jack	Discussion - Bill No. 2243 - Congratulating the Carrick High School Raiders for the AAAA City League Basketball Championship	478
Wagner, Jack	Discussion - Bill No. 2451 - Agreement with Federation of War Veteran Societies, \$2,000 (REMARKS) Wednesday, April 14, 1993	668
Wagner, Jack	Discussion - Bill No. 2486 - Congratulating Oakland Catholic High School Eagles for achieving the PIAA Class AAAA Girls' Basketball Championship	641
Wagner, Jack	Discussion - Bill No. 2501 - Agreement in connection with Design of the Rehabilitation of the Schenley Park Bridge	866
Wagner, Jack	Discussion - Bill No. 2516 - Declaring May 16 - 21, 1993 as "A.M.E. Revival Week" in the City	690
Wagner, Jack	Discussion - Bill No. 2518 - Recognizing Duquesne Light Company and General Public Utilities having cooperatively initiated a power sale	740

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Wagner, Jack	Discussion - Bill No. 2525 - Ordinance amending Pittsburgh Code, Title Six, Conduct, Chapter 603, Parades and Crowds, Permit Fees (REMARKS) Wednesday, May 5, 1993	
Wagner, Jack	Discussion - Bill No. 2571 - Lease Agreement with Phipps Conservatory, Inc., \$2,100,000	1
Wagner, Jack	Discussion - Bill No. 2571 - Lease Agreement with Phipps Conservatory, Inc., \$2,100,000 (REMARKS) Wednesday, June 9, 1993	1
Wagner, Jack	Discussion - Bill No. 2585 - Proclaiming May 12 through May 16, 1993 as "Be A Sport Days" in the City	
Wagner, Jack	Discussion - Bill No. 2625 - Ordinance from Special District to Limited District, Crown Wrecking Company	1
Wagner, Jack	Discussion - Bill No. 2649 - proclaiming the week of May 10, 1993, as THE BUSINESS SHOW/INPEX IX Innovation Week in the City	
Wagner, Jack	Discussion - Bill No. 2657 - Conditional Use for Duquesne University, Bluff Street (REMARKS) Wednesday, May 26, 1993	
Wagner, Jack	Discussion - Bill No. 2670 - URA property sale owned by Stanislaw Sydoryk (REMARKS) Wednesday, June 9, 1993	1
Wagner, Jack	Discussion - Bill No. 2676 - Ordinance for reorganization of Council	
Wagner, Jack	Discussion - Bill No. 2676 - Ordinance for reorganization of Council	
Wagner, Jack	Discussion - Bill No. 2700 - URA to pursue tax incremental financing for the Pittsburgh Technology Center	1
Wagner, Jack	Discussion - Bill No. 2722 - License to Three Rivers Charter Service for docking facilities along the Allegheny and Monongahela Rivers (REMARKS) Wednesday, June 16, 1993	1
Wagner, Jack	Discussion - Bill No. 2754 - Commending Fineview Youth Council for accepting their civic responsibilities through the adoption of Fineview Park	
Wagner, Jack	Discussion - Bill No. 2755 - Recognizing the North Side Veterans Council in honoring their fifty-seventh annual Flag Day celebration	
Wagner, Jack	Discussion - Bill No. 2786 - Declaring Tuesday, June 15, 1993 as Genesis Day in the City	
Wagner, Jack	Discussion - Bill No. 2799 - Graffiti Trust Fund	
Wagner, Jack	Discussion - Bill No. 2800 - Conditional Use for 111-115 Central Avenue (REMARKS) Wednesday, July 13, 1993	
Wagner, Jack	Discussion - Bill No. 2806 - Lease Agreement for Carnegie Mellon University in connection with operation of the Schenley Park Golf Course	
Wagner, Jack	Discussion - Bill No. 2818 - Ordinance on playground safety	

ADDRESS AND REMARKS

SPEAKER	SUBJECT	PAGE
Wagner, Jack	Discussion - Bill No. 2839 - Stating that Fisher Scientific is violating acceptable labor relations standard	1201
Wagner, Jack	Discussion - Bill No. 2867 - Transfer \$800,000 from Code Acct. 1677, Garbage, Dept. of Public Works	1341
Wagner, Jack	Discussion - Bill No. 2889 - Ordinance Title Six, Refuse Collection by deleting Dept. of Environmental Services	1402
Wagner, Jack	Discussion - Bill No. 2892 - swimming pools fees	1608
Wagner, Jack	Discussion - Bill No. 2900 - Police to allot \$12.00 per day for Canine Police Officers (REMARKS) Wednesday July 21, 1993	1412
Wagner, Jack	Discussion - Bill No. 2907 - Supporting efforts of local 13550 of the Communication Workers of America and AT&T Official to normalize relations with Cuba	1289
Wagner, Jack	Discussion - Bill No. 2910 - Redouble efforts to communicate to Fisher that the situation with the 77 locked out workers must be resolved	1293
Wagner, Jack	Discussion - Bill No. 2928 - Declaring July 18 through July 25, 1993 as "PITTSBURGH VINTAGE GRAND PRIX RACE WEEK" in the City	1338
Wagner, Jack	Discussion - Bill No. 2960 - Declaring Tuesday, July 27, 1993 as "Leonard Rhodes/Peter Lackey - Panther Hollow Lake Day" in the City	1385
Wagner, Jack	Discussion - Bill No. 3040 - Bond for \$16,500,000, guaranty agreement with the Stadium Authority (REMARKS) Wednesday, August 11, 1993	1547
Wagner, Jack	Discussion - Bill No. 3080 - appointment of David Keller to the Equipment Leasing Authority	1511
Wagner, Jack	Discussion - Bill No. 3084 - Declaring Friday, September 7, 1993 as "Forget-Me-Not Drive Day" in the City	1535
Wagner, Jack	Discussion - Bill No. 3098 - Agreement with Penn Hills and ALCOSAN	1701
Wagner, Jack	Discussion - Bill No. 3105 - Tax Incremental Financing Plan (REMARKS) Wednesday, November 3, 1993	1952
Wagner, Jack	Discussion - Bill No. 3151 - Lease Agreement with Zoological Society (REMARKS) Wednesday, December 8, 1993	
Wagner, Jack	Discussion - Bill No. 3160 - Wishing Pittsburgh Pro Sports, Inc. much success	1619
Wagner, Jack	Discussion - Bill No. 3169 - Transfer \$37,000.00, Schenley Park Golf Course (REMARKS) Wednesday, September 22, 1993	1708
Wagner, Jack	Discussion - Bill No. 3201 - appointing James Rooney as Member of City Planning Commission (REMARKS) Wednesday, September 29, 1993	1740

ADDRESS AND REMARKS

SPEAKER	SUBJECT	PA
Wagner, Jack	Discussion - Bill No. 3201 - appointing James Rooney to City Planning Commission	1
Wagner, Jack	Discussion - Bill No. 3222 - Declaring the week of October 3-9, 1993 as "Fire Prevention Week" in the City	1
Wagner, Jack	Discussion - Bill No. 3245 - regulations to implement the City's authority to regulate rates to cable service	1
Wagner, Jack	Discussion - Bill No. 3246 - Communication from John Walluk submitting revised regulations for collection	1
Wagner, Jack	Discussion - Bill No. 3259 - appointing 29 members to the Youth Advocacy Commission	1
Wagner, Jack	Discussion - Bill No. 3274 - Ordinance, Title Six, Conduct, Weapons and Firearms	2
Wagner, Jack	Discussion - Bill No. 3290 - Communication from Mary Conturo submitting small claims	1
Wagner, Jack	Discussion - Bill No. 3295 - Commending individuals of Engineering & Construction for their contributions to "design excellence"	1
Wagner, Jack	Discussion - Bill No. 3298 - Declaring October 17-23, 1993 as "Fair Trade Week" in the City	1
Wagner, Jack	Discussion - Bill No. 3300 - Recognizing the staff of Centers for Victims of Violent Crime on the First Annual Run For Victims	1
Wagner, Jack	Discussion - Bill No. 3304 - Declaring October 19, 1993 as "Paint Your Heart Out Pittsburgh Day 1993"	1
Wagner, Jack	Discussion - Bill No. 3305 - Appointment Daniel Butler as City Magistrate	1
Wagner, Jack	Discussion - Bill No. 3305 - Appointment Daniel E. Butler, as City Magistrate for a term to expire January, 1996	1
Wagner, Jack	Discussion - Bill No. 3326 - Changing the name of Alton Field to Jim Rawe Field (REMARKS) Wednesday, November 3, 1993	1
Wagner, Jack	Discussion - Bill No. 3337 - Declaring Tuesday, October 26, 1993 to be I have a Dream Foundation of Pittsburgh Day	1
Wagner, Jack	Discussion - Bill No. 3340 - Declaring October 24, 1993 as Teacher/Artist Week in the City	1
Wagner, Jack	Discussion - Bill No. 3357 - Ordinance for Title Six, Conduct, Refuse Collection and Recycling on Fourth of July Holiday	1
Wagner, Jack	Discussion - Bill No. 3388 - Designating the week of November 7, 1993 as "Women Veterans Recognition Week" in the City	1
Wagner, Jack	Discussion - Bill No. 3473 - Ordinance, Title One, Authorization to fill (REMARKS) Wednesday, December 15, 1993	2

ADDRESS AND REMARKS

SPEAKER	SUBJECT	PAGE
Wagner, Jack	Discussion - Bill No. 3475 - Construction to research for Boot Camp Facility Plan for youth offenders (REMARKS) Wednesday, December 8, 1993	2167
Wagner, Jack	Discussion - Bill No. 3586 - Commending Thomas Jayson and the Wetco Development Corporation for commitment to "The Strip Down by the Riverside"	2203
Wagner, Jack	Discussion - Bill No. 3588 - Communication for veto ordinance Title One, Authorization to Fill without Competition (REMARKS) Wednesday, December 15, 1993	2308
Wagner, Jack	Discussion - Bill No. 740 - Ordinance Title Six, Conduct, Chapter 601, Loitering for the Purpose of Engaging in Drug Related Activities	1542
Wagner, Jack	Discussion - Bill No. 2937 - appointing as advisory committee to explore alternatives to Highland Reservoir No. 1 (REMARKS) Wednesday, September 22, 1993	1704
Wagner, Jack	Discussion - Bill No. 3379 - Amending Rule VI of Rules of Council, PA Act 20 of 1993	1944
Wagner, Jack	Discussion - Bill Nos. 1178, 1179 & 1180 - Billboard Legislation (REMARKS) Wednesday, April 28, 1993	768
Wagner, Jack	Discussion - Bill Nos. 1961 - 1964 legislation regarding police hiring and examinations (REMARKS) Wednesday, February 24, 1993	277
Wagner, Jack	Discussion - Bill Nos. 2139 and 2140 - Pittsburgh Film Office Challenge (REMARKS) Wednesday, March 31, 1993	490
Wagner, Jack	Discussion - Bill Nos. 2166 and 2167 - Contracts for litter receptacles (REMARKS) Wednesday, April 7, 1993	597
Wagner, Jack	Discussion - Bill Nos. 2226, 2227 and 2228 - Enterprise Zones in the North Side (REMARKS) Wednesday, April 14, 1993	660
Wagner, Jack	Discussion - Bill Nos. 2719 & 2720 - regulation of cable rates	1037
Wagner, Jack	Discussion - Bill Nos. 2880-2885 - various reappointments to the Human Relations Commission	1276
Wagner, Jack	Discussion - Bill Nos. 3397 & 3398 - Crawford-Roberts Development (REMARKS) Wednesday, November 17, 1993	2024
Wagner, Jack	Discussion - Bill Nos. 3449 & 3450 - Ordinance for business with South Africa (REMARKS) Wednesday, December 8, 1993	2158
Wagner, Jack	Discussion - Bill Nos. 3536 & 3537 - Budget for capital improvement	2223
Wagner, Jack	Discussion - beat police on Grandview Avenue and crumbling wall on P.J. McArdle Roadway	833
Wagner, Jack	Discussion - bill No. 3557 - Proclaiming the week of December 6, 1993 as the 171st Air Refueling Wing of the Air National Guard Week in the City	2125

ADDRESS AND REMARKS

SPEAKER	SUBJECT	PA
Wagner, Jack	Discussion - City's employee pension board	2
Wagner, Jack	Discussion - Cooperation Agreement - URA and Pittsburgh Technology Center (REMARKS) Wednesday, October 13, 1993	1
Wagner, Jack	Discussion - certain areas targeted as drug zones	
Wagner, Jack	Discussion - changes in the Committee Assignments	
Wagner, Jack	Discussion - Dept. of General Services and Environmental Services purchasing new trucks	1
Wagner, Jack	Discussion - Designating the week of January 3, 1993 as "Councilman Jake Milliones Week" in the City, moment of silent prayer in honor of the death of Councilman Jake Milliones	
Wagner, Jack	Discussion - Duquesne Light and GPU Transmission Line under review by the PUC	
Wagner, Jack	Discussion - debris from the construction site on the main entry into Schenley Heights	1
Wagner, Jack	Discussion - elimination of City employees from the budget	
Wagner, Jack	Discussion - endorsement of Key 93	1
Wagner, Jack	Discussion - expressed concern regarding the construction of two new fire houses in the Woods Run area and on Arlington Avenue	
Wagner, Jack	Discussion - Federal Court review of the proposed District Council lines	
Wagner, Jack	Discussion - Firefighters Union raffling off guns as part of fundraising	1
Wagner, Jack	Discussion - fatal accident on East Ohio Street and beat officers in the neighborhoods	
Wagner, Jack	Discussion - general fund revenues and expenditures for a ten year history	1
Wagner, Jack	Discussion - Information for Public Works concerning Lease arrangements with Duquesne Light	1
Wagner, Jack	Discussion - increasing of violent crimes in Pittsburgh	1
Wagner, Jack	Discussion - information for privatizing the Zoo from the Administration	1
Wagner, Jack	Discussion - introducing Councilman Dan Cohen for his budget address	2
Wagner, Jack	Discussion - introduction of legislation for refuse pick-up either the day of or day after a holiday	1
Wagner, Jack	Discussion - issue of municipal bonds	
Wagner, Jack	Discussion - job posted for a new manager to property	1
Wagner, Jack	Discussion - memo regarding PA House Bill No. 65	1
Wagner, Jack	Discussion - motion to vacate the Position of the Council President	
Wagner, Jack	Discussion - Oliver Bath House indoor swimming pool	1
Wagner, Jack	Discussion - opening the Schenley Park Golf Course this summer	

ADDRESS AND REMARKS

SPEAKER	SUBJECT	PAGE
Wagner, Jack	Discussion - opening the Schenley Park Golf Course this summer	377
Wagner, Jack	Discussion - organizing an Economic Development Commission	242
Wagner, Jack	Discussion - Pittsburgh being ranked Number Five for the Most Livable City	1911
Wagner, Jack	Discussion - Post Agenda to discuss the City's proposed recycling contract	24
Wagner, Jack	Discussion - Post agenda with Gene Ricciardi pertaining to various streets in the South Side	1146
Wagner, Jack	Discussion - Post Gazette article on City's ownership and management of tax forfeited properties	1423
Wagner, Jack	Discussion - personal property tax imposed by the School Board	467
Wagner, Jack	Discussion - political consultants in regard to the "Council Coup"	203
Wagner, Jack	Discussion - post agenda at 2:00 pertaining to blue bag recycling in Pittsburgh	298
Wagner, Jack	Discussion - post agenda on the closing of the Sears store in East Liberty	473
Wagner, Jack	Discussion - post agenda pertaining to discussion on FCC regulations for cable	968
Wagner, Jack	Discussion - post agenda pertaining to the police examination process	411
Wagner, Jack	Discussion - problems that the Midwestern Cities are having	1376
Wagner, Jack	Discussion - project presently titled Andover/Dakota Street Walls	1325
Wagner, Jack	Discussion - public hearing on legislation to ban assault weapons	2004
Wagner, Jack	Discussion - regarding House Bill 65	1610
Wagner, Jack	Discussion - reimbursing fees to citizens that use City facilities through permits	1518
Wagner, Jack	Discussion - rescind the motion to vacate the Presidency of Council that took place on January 26, 1993	884
Wagner, Jack	Discussion - Swearing in Ceremony for Councilman Smith	969
Wagner, Jack	Discussion - schedule a hearing on the JCC expansion	1244
Wagner, Jack	Discussion - stating that Council District 6 will continue to be services out of the City Council Offices	17
Wagner, Jack	Discussion - stating that Council must be kept up-to-date on the recent hires of police officers	1286
Wagner, Jack	Discussion - stating that the dispute between the City and the Pirates is embarrassing	1527
Wagner, Jack	Discussion - stating that the number of requests from Council should be answered by the Administration	67

ADDRESS AND REMARKS

SPEAKER	SUBJECT	PA
Wagner, Jack	Discussion - thanking Linda and Mike for the flowers for the final meeting	2
Wagner, Jack	Discussion - the appointments to the Human Relations Commission	1
Wagner, Jack	Discussion - the cable issue and the regulation of its rates	1
Wagner, Jack	Discussion - the financial situation of the City in the eyes of the Controller and the Director of Finance	1
Wagner, Jack	Discussion - the hiring of more police officers and making our neighborhoods safe	
Wagner, Jack	Discussion - the police ideas for the downtown area	1
Wagner, Jack	Discussion - the provisions of the Home Rule Charter in regards to the Deputy Mayor	1
Wagner, Jack	Discussion - the reappointments of Michael Perry and Linda Johnson-Wasler as the City Clerk and Assistant City Clerk	
Wagner, Jack	Discussion - two public works employees that were suspended because they didn't show up for work for Blizzard 1993	
Wagner, Jack	Discussion - vote on Phipps Conservatory	1
Wagner, Jack	Discussion - Welcoming the students of Carlow Campus School Third Graders to City Council	
Wagner, Jack	Discussion - wanting a picture of the 1993 Councilmembers	2
Wagner, Jack	Discussion - welcoming four Nigerians of the International Visitors Council	
Wagner, Jack	Discussion - welcoming seven visitors from Poland from various cities that are Councilmembers, Mayors Lieutenant Governors, etc.	1
Wagner, Jack	Discussion - Peter Werowski given an award by the Paramedics Union at River Rescue and discussion with Fish Commission and Army Corps of Engineers	
Wagner, Jack	Discussion Bill Nos. 3017, 3018 & 3019 - Agreements for design of Courts Facility of Public Safety Complex (REMARKS) Wednesday, August 11, 1993	1
Wagner, Jack	Discussion - Bill No. 2653 - Ordinance Chapter 601 - regulating directional signage	1
Wagner, Nick	Acceptance - Bill Nos. 2833 & 2834 contest from various Elementary Schools and High Schools throughout the City for "Just Say No" posters and "Drugs, Guns and Gang Violence in Pittsburgh: Solutions From a Teenager's Point of View" Essay Contest	1

ADDRESS AND REMARKS

SPEAKER	SUBJECT	PAGE
Waldorf, Coach	Acceptance - Bill No. 3036 - Congratulating the Spring View Pony League Baseball Team for their success	1436
Waller, Mr.	Acceptance - Bill No. 2030 - Recognizing the 1993 Renaissance Too Publication Trailblazer Awardees for their exemplary service to the African American community	209
Waschak, Father	Acceptance - Bill No. 3199 - Declaring Sunday, September 26, 1993 as "Holy Assumption of St. Mary Orthodox Church Day" in the City	1649
Washington, David	Acceptance - Bill No. 2815 - Commending the Arlington Heights Tenants Council for their efforts in building new tot lot	1152
Wasler-Johnson, L.	Discussion - Bill No. 3290 - Communication from Mary Conturo submitting small claims	1849
Webb, Mr.	Acceptance - Bill No. 3573 - Commending George Westinghouse High School Bulldog Football Team on their 1993 Championship Season	2154
Wedrick, Ms.	Acceptance - Bill No. 3572 - Declaring Sunday, December 12, 1993 as "Die Glocke Sarah Day" in the City	2152
Weinsweig, Mr.	Acceptance - Bill No. 2105 - Proclaiming March 14, 1993 as "DARE-TO-SHARE DAY" in the City	309
Wells, Ms.	Acceptance - Bill No. 2512 - Proclaiming the week of April 24 - May 1, 1993 to be "Victims Rights Week" in the City	682
Werowinski, Mr.	Acceptance - Bill No. 1854 - Commending Peter Werowinski for putting the welfare of a fellow citizen above his own	51
West, Mr.	Acceptance - Bill No. 2648 - recognizing the winner Andre West and participants of the Mr. African American Pageant	879
Whitlock, Mr.	Acceptance - Bill No. 2136 - Declaring March 15-21 as "Black Paramedic Council Week" in the City	327
Whorling, Mrs.	Acceptance - Bill No. 2204 - Proclaiming March, 1993 as "Eye Donor Month" in the City	426
Williams, Damien	Acceptance - Bill No. 2492 - Congratulating the Perry Traditional Academy Commodores for capturing the Class AAA City League Basketball Title	651
Williams, James	Acceptance - Bill No. 3558 - Declaring December 7, 1993 as Pittsburgh Hill District Wildcats Might Mites Day in the City	2127
Williams, Ms.	Acceptance - Bill No. 2584 - Proclaiming May 16, 1993 as "Seniors With Spirit Day" in the City	845
Willowbur, Ms.	Acceptance - Bill No. 3572 - Declaring Sunday, December 12, 1993 as "Die Glocke Sarah Day" in the City	2152

ADDRESS AND REMARKS

SPEAKER	SUBJECT	PAGE
Wilson, Ms.	Acceptance - Bill No. 3196 - Declaring Wednesday, September 22, 1993 to be "Linden Elementary School Day" in the City	1643
Wnuk, Mr.	Acceptance - Bill No. 2105 - Proclaiming March 14, 1993 as "DARE-TO-SHARE DAY" in the City	310
Wright, Lieutenant	Acceptance - Bill No. 3198 - Recognizing the invaluable role that the Pittsburgh Fire Department plays in keeping the City safe	1647
Yough, Ms.	Acceptance - Bill No. 2487 - Declaring Sunday, April 25, 1993 as "Pittsburgh March Committee Day" in the City	644
Young, Director	Acceptance - Bill No. 2488 - Proclaiming the week of April 18-24, 1993 as "African-American Cancer Awareness Week" in the City	646
Young, Mr.	Acceptance - Bill No. 3573 - Commending George Westinghouse High School Bulldog Football Team on their 1993 Championship Season	2154
Younger, Daidra	Acceptance - 2515 - Commending Daidra Younger for her effort toward community excellence	686
Zeichner, Ms.	Acceptance - Bill No. 3300 - Recognizing the staff of Centers for Victims of Violent Crime on the First Annual Run For Victims	1843
Ziegler, Mr.	Acceptance - Bill No. 2207 - Recognizing the commitment and service of Sarah Vukelich Evosevich to her adopted country	428
Zumac, Mr.	Acceptance - Bill No. 3298 - Declaring October 17-23, 1993 as "Fair Trade Week" in the City	1835

COMMUNICATIONS

MISCELLANEOUS

BILL NO.	SPEAKER	SUBJECT	PAGE
1798	Alcosan	Submitting a list of the Authority's personnel as of December 31, 1992	17
1822	Birru, Mulugetta	Submitting the Position and Salary Report as of December 31, 1992	30
2901	Cannon, Glenn	Submitting Audited Financial Statements & Other Financial Information of Pittsburgh Water & Sewer Authority for years ended December 31, 1992 and 1991	1299
1939	Conturo, Mary	Submitting the quarterly report of settlement of small claims not exceeding \$750.00 for the Fourth Quarter of 1992, payable from Code Acct. No. 1081, Petty Claims	140

COMMUNICATIONS

MISCELLANEOUS

BILL NO.	SPEAKER	SUBJECT	PAGE
2548	Conturo, Mary	Submitting the quarterly report of the settlement of small claims not exceed \$750.00 for First Quarter of 1993	763
3290	Conturo, Mary	Submitting the quarterly report of settlement of small claims not exceeding \$750.00 for the Third Quarter of 1993	1849
3245	Emenecker, Bro. Richard	Submitting regulations to implement the City's authority to regulate rates for cable service under the Cable Television Consumer Protection and Competition Act of 1992	1738, 1797
1823	Flaherty, Tom	Submitting the Performance Audit of the Urban Redevelopment Authority, Economic Development Department as of November 1992	30
1942	Flaherty, Tom	Submitting the Performance Audit of the Urban Redevelopment Authority, Housing Department as of November 1992	140
1988	Flaherty, Tom	Submitting the Fiscal Audit of the Dept. of Parks and Recreation Phipps Conservatory dated August 1992	176,
2506	Flaherty, Tom	Submitting the Fiscal Audit of the Dept. of Public Safety, Tow Pound	693
2575	Flaherty, Tom	Submitting the City of Pittsburgh Annual Report for the year ended December 31, 1992	853
2706	Flaherty, Tom	Submitting the Performance Audit of the City of Pittsburgh's Purchasing System focusing on the Purchasing Division	958
3027	Flaherty, Tom	Submitting the Performance Audit of Office of the Mayor, City Information System, dated July 1993	1447
3028	Flaherty, Tom	Submitting Appendix to the Performance Audit of Office of the Mayor, City Information Systems, dated July 1993	1447

COMMUNICATIONS

MISCELLANEOUS

BILL NO.	SPEAKER	SUBJECT	PAGE
3565	Flaherty, Tom	Submitting the Fiscal Audit of the Dept. of General Services Warehouse Inventory dated October, 1993	2157
1821	Hayllar, Ben	Submitting a report of securities pledged as collateral by City Depositories as of November 30, 1992	30
1940	Hayllar, Ben	Submitting a report of securities pledged as collateral by City Depositories as of December 31, 1992	140
2453	Hayllar, Ben	Submitting a report of securities pledged as collateral by City Depositories as of February 26, 1993	590
2640	Hayllar, Ben	Submitting report of securities pledged as collateral by City Depositories as of March 31, 1993	894,
2742	Hayllar, Ben	Submitting a report of securities by City Depositories as of April 30, 1993	989
2902	Hayllar, Ben	Submitting a report of securities pledged as collateral by City Depositories as of May 31, 1993	1299
3127	Hayllar, Ben	Submitting a report of securities pledged as collateral by City Depositories, June 30, 1993	1606,
3154	Hayllar, Ben	Submitting a report of securities pledged as collateral by City Depositories as of July, 1993	1628
3275	Masloff, Mayor	Advising Council of the appointment of D'Ann Swanson to Public Auditorium Authority Board, term to expire, December 1995	1796
1830	Masloff, Sophie	Appointing Irene McLaughlin, 4307 Stanton Avenue, Pittsburgh, PA 15201, as a City Magistrate for a term to expire January, 1995	37
2465	Masloff, Sophie	Appointing Dennis Roth, 1720 Beechwood Boulevard, as a member to the Board of Standards and Appeals, term to expire January 1996	620, 693

COMMUNICATIONS

MISCELLANEOUS

BILL NO.	SPEAKER	SUBJECT	PAGE
2787	Masloff, Sophie	Appointing Reverend Louis F. Vallone, St. Peter Parish, 720 Arch Street, member of the Human Relations Commission, term to expire July, 1996	1146, 1216
2817	Masloff, Sophie	Appointing Janet Berkowitz, 1321 Beechwood Boulevard, member of City's Ethics Hearing Board, term to expire June 15, 1995	1189
2880	Masloff, Sophie	Reappointing of Bernice Cohen-Scott, 4352 Stanton Avenue, 15201, member of Human Relations commission, term to expire July, 1997	1274
2881	Masloff, Sophie	Reappointing Ralph Proctor, Jr., 322 North Lang Avenue as member of the Human Relations Commission, term to expire July, 1997	1274
2882	Masloff, Sophie	Reappointing Constance Wellons, 120 Climax Street, as member of the Human Relations Commission, term to expire July, 1997	1274
2883	Masloff, Sophie	Reappointing Alma Fox, 7124 Apple Avenue, as member of Human Relations Commission, term, to expire July 1997	1274
2884	Masloff, Sophie	Reappointing Rabbi Richard Marcovitz, 327 North Negley Avenue, as member of Human Relations Commission, term to expire July, 1997	1275
2885	Masloff, Sophie	Reappointing Barbara Bruice, 2158 Wylie Avenue, as member of Human Relations Commission, term to expire July, 1997	1275
3080	Masloff, Sophie	Appointing David Keller as member of Equipment Leasing Authority, term to to expire December 31, 1996	1511

COMMUNICATIONS

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MISCELLANEOUS

BILL NO.	SPEAKER	SUBJECT	PAGE
3085	Masloff, Sophie	Returning her veto to Council Bill No. 740 - Ordinance Title Six, Conduct, Chapter 601, Loitering for the Purpose of Engaging In Drug Related Activities	1536
3129	Masloff, Sophie	Veto to Bill No. 2892 - Resolution repealing Resolution 987, schedule fees and charges Dept. of Parks & Recreation Swimming Pools Program	1606
3201	Masloff, Sophie	Appointing James E. Rooney as member of City Planning Commission, term to expire January, 1996	1676, 1739
3305	Masloff, Sophie	Appointing Daniel Butler, 5710 Bartlett Street, City Magistrate, term to expire January, 1996	1867, 1942
3587	Masloff, Sophie	Veto on Bill No. 3488 - making appropriations for public business, item Vulvar Pain Foundation, \$10,000.00	2299
3588	Masloff, Sophie	Veto on Bill No. 3473 - Ordinance Title One, Personnel on Authorization to Fill Without Competition	2305
1848	Perry, Michael	Submitting the Fourth Quarter travel reports for the 1992 various departments	56
2549	Perry, Michael	Submitting the First Quarter travel reports for the 1993 from various departments	763
3327	Perry, Michael	Submitting Third Quarter Travel Reports for 1993 from various departments	1894
3380	Swanson, D'Ann	Submitting deposits and the market value of securities pledged as collateral by City Depositories as of August 31 and September 30, 1993	1925

COMMUNICATIONS

MISCELLANEOUS

BILL NO.	SPEAKER	SUBJECT	PAGE
3564	Swanson, D'Ann	Submitting a report of deposits and the market value of securities pledged as collateral by City Depositories as of October, 1993	2157
3246	Walluk, John	Submitting revised Regulations for the collection of solid waste recyclables and providing for the assessment of fees for removal of excess bulky waste and contaminated recyclable material from residential dumpsters	1738,1799,1850
1941	Washington, David	Submitting the Position and Salary Report as of January 1, 1993 for the Housing Authority	140

TRAVEL REQUEST

CITY COUNCIL

1981	Bullock, David	Vice President of Gershman Brickner, Waste Management Consultants of Falls Church Virginia to travel to Pittsburgh, March 2, 1993 for a presentation before Council for a state of the are update on recycling for 1993	175
1981	Schlauder, Rick	Vice President of Gershman Brickner, Waste Management Consultants of Falls Church Virginia to travel to Pittsburgh, March 2, 1993 for a presentation before Council for a state of the are update on recycling for 1993	175
3412	Vinyard, Lieutenant Roger	Reimbursement to Michelle Madoff Salem Oregon Police Dept. to travel to Pittsburgh for presentation before City Council for purpose of sharing information	1942

COMMUNICATIONS

TRAVEL REQUEST

PERSONNEL & CIVIL SERVICE COMMISSION

BILL NO.	SPEAKER	SUBJECT
2651	Cohen, Stephen	PIC Member to attend the Summer Challenge Conference on April 13-14, 1993 in Arlington, VA, \$705.00
3126	Kemp, Loretta	To attend Cities in Schools training for the YOU/Youth Fair Chance projects, Bethlehem, PA from Sept. 12 through Sept. 16, 1993, \$3,487.00
1847	Turyan, John	Attend the January 9 and 10, 1993 National Association of Private Industry Councils Board of Directors in Washington, D.C., \$482.00
1915	Turyan, John	Requesting approval to attend Pittsburgh Private Industry Council the State Job Training Coordinating Council in Harrisburg on February 18, 1993, \$469.00
1967	Turyan, John	To attend the 1993 PIC Forum on February 28 through March 2, 1993 in Washington, D.C., \$1,157.00
2470	Turyan, John	Travel on various dates from April 25, 1993 to February 27, 1994 to various cities to attend NAPIC meetings, \$6,014.00

MOTIONS

ADJOURN

Onorato Monday, November 8, 1993 to recovene for the Mayor's budget

MOTIONS

AMEND

SPEAKER	SUBJECT	PAGE
Cohen	Bill No. 2719 - regulation of cable rates	1030
Cohen	Bill No. 2818 - Ordinance playground safety	1502
Cohen	Bill No. 2889 - Ordinance, Chapter 619, Refuse Collection, deleting Dept. of Environmental Services	1400
Cohen	Bill No. 3151 - Lease Agreement with Zoological Society	2164
Cohen	Bill No. 3274 - Ordinance Title Six, Conduct, Firearms and Other Weapons	2100
Cohen	Bill No. 740 - anti-loitering drug Ordinance	1458
Darkins	Bill No. 2653 - Ordinance amending 601, Public Works to create regulations controlling the posting of directional signage	1175
Ferlo	Bill No. 1180 - Ordinance amending Title 10, BOCA National Building Code Adopting, New Construction and Alterations of Signs and Fees	825
Ferlo	Bill No. 2089 - Cooperation Agreement for Manchester Project, \$550,000.00	399
Ferlo	Bill No. 2571 - Lease Agreement with Phipps Conservatory, \$2,100,000.00	1039
Ferlo	Bill No. 2625 - Ordinance Crown Wrecking Company, Inc.	1498
Ferlo	Bill No. 2889 - Ordinance, Chapter 619, Refuse Collection, deleting Dept. of Environmental Services	1402
Ferlo	Bill No. 2894 - Bureau of Police and BBI submit to Council a "NUISANCE PROPERTY MASTER LIST"	1410
Ferlo	Bill No. 2937 & 2938 - Engineering & Construction	1703
O'Connor	Bill No. 2571 - Lease Agreement with Phipps Conservatory, Inc., \$2,100,000.00	1039
Onorato	Bill No. 1786 - Bureau of Cable Communications to cablecast and Post Agenda Meeting	294
Onorato	Bill No. 1937 - Ordinance Title Six, Conduct, Article I, Regulated Rights and Actions, adding 608, Youth Offender Works Corps	234
Onorato	Bill No. 2626 - Ordinance Title Five, Towing Fees	1507
Onorato	Bill No. 2868 - Ordinance, Title Seven, Amusement Places & Producers	1344
Onorato	Bill No. 3475 - Boot Camp Facility for youth offenders	2166
Ricciardi	Bill No. 2025 - Ordinance Title One, Administrative, Boards, Commission and Authorities	315
Ricciardi	Bill No. 2730 - Historic District for East Carson Street	1455
Ricciardi	Bill No. 3138 - property sales	1706
Smith	Bill No. 2676 - Ordinance for reorganization of Council	991

MOTIONS

HEARINGS SCHEDULED

SPEAKER	SUBJECT	PAGE
Cohen	Shadyside parking issue	10

HELD LEGISLATION

Cohen	Bill No. 1844 - Lease Agreement with Public Parking Authority for property on William Penn Place, Oliver Avenue, Smithfield Street and Sixth Avenue, 2nd Ward	1
Ferlo	Bill No. 3246 - regulations for collection of solid waste	1
O'Connor	Bill No. 2733 - URA to acquire title in fee for property for public safety complex for streets	10

LETTERS SENT

Cohen	City Treasurer concerning Dangerous Dog Law	2
Cohen	TCI regarding them to notify Council on there intentions regarding business matters	1
Cohen	TCI to re-examine its rate structure	10
Cohen	To FCC and oppose their request for a deadline extension	20
Cohen	To Public Works Dept. regarding bricks on Murray Hill Road	1
Cohen	TCI and KBL asking them to rethink their plans on raising their fees	1
Darkins	Board of Assessment urging them to rescind their decision to tax the Schenley Golf Course	10
Ferlo	Administration concerning the Grants and Donations for Pittsburgh Founders Celebration Council	1
Ferlo	Administration regarding Block Grant money	1
Ferlo	Administration regarding construction of two fire houses north and south of the river	1
Ferlo	Administration stating no interruption season for the Schenley Park Golf Course	1
Ferlo	Information regarding truck policy for Dept. of General Services and Dept. of Environmental Services	1
Ferlo	Parking Authority regarding operation	1
Ferlo	Pirates regarding holding their events in the City	1
Ferlo	Police Chief, Mayor and Director DiNardo regarding areas characterized as drug zones	1
Ferlo	Public Safety Director asking to inform Council on the status of the salver contract	1

MOTIONS

LETTERS SENT

SPEAKER	SUBJECT	PAGE
Ferlo	To Parks & Recreation regarding survey on permit holders	1377
Ferlo	Water Department to see what the City can do to help the Midwestern Cities struck by floods	41
Madoff	Administration asking them to put more police officers in the more troubled areas of the City	1003
Madoff	Governor and State Legislators urging them to support Riverboat Gambling	674
O'Connor	Senator Specter concerning the President's economic package	1631
O'Connor	Senators regarding more police	464
O'Connor	To the School Board with the hopes of repealing the personal property tax	119
Onorato	Deputy Director of Dept. Air Pollution Control Bureau, regarding burning procedures	1368
Onorato	Director Hayllar requesting information on Municipal Retiree Life Insurance	1905
Onorato	Henry Nutbrown to address public safety at the intersection of Termon and California Avenue	968
Onorato	Housing Authority thanking them for action regarding problem at Presley High Rise	1425
Onorato	Supporting Reggie Young regarding safety at swimming pools	1513
Onorato	To Terry Matuszak for brick replacement	1523
Onorato	To the residents rebutting the letter from Finance regarding delinquent tax buildings	151
Ricciardi	Administration concerning the Weed and Seed Program	1370
Ricciardi	Administration regarding headway to privatize the Pittsburgh Zoo in 1994	301
Ricciardi	Administration regarding the Weed and Seed Program	1780
Ricciardi	State Officials to revamp the Juvenile Crime Laws	1518
Smith	To Parks & Recreation concerning permit fees	1908
Smith	Water Department asking how an average citizen can negotiate settlements	

MOTIONS

MISCELLANEOUS

SPEAKER	SUBJECT	PA
Cohen	Asking Brother Richard and David Farley to brief Council in post agenda meeting regarding the TCI rate cutbacks	
Cohen	Bill No. 2868 - Ordinance, Title Seven Amusement Places & Producers, become effective the day the Mayor signs it	1
Cohen	Giving the budget staff permission to make corrections on the Budget	2
Cohen	James Rooney to come in front of Council for his appointment to City Planning Commission	1
Cohen	Post agenda regarding City's ownership and management of tax forfeited properties	1
Cohen	Post agenda with Administration regarding CDBG money for more police	1
Cohen	Suspend rules so to amend Bill No. 740 - anti-drug loitering Ordinance	1
Cohen	What consequences would there be if they held Bill No. 3305 - Appointing Dan Butler as City Magistrate	1
Darkins	Renaming of Crawford Square to Milliones Square	
Ferlo	Accept the 29 appointed members of the Youth Advocacy Commission	1
Ferlo	Administration to give Council an explanation as to Mr. Gumberg's role in taking over the Schenley Golf Course	
Ferlo	Cancel the introduction of Bill No. 1980	
Ferlo	Communicate to CMU that Council wants Grand Prix to continue in Schnely Park	1
Ferlo	Communicate to the Administration and encourage them to find alternative parking for the marathoners	
Ferlo	Post agenda on the bidding of "B" contracts	
Ferlo	Public hearing on the fiacso of the tiller fire trucks	
Ferlo	Refer Bill No. 1178 - Ordinance for Regulation to revise advertising signs, back to the Planning Commission	

MOTIONS

SPEAKER	SUBJECT	PAGE
MISCELLANEOUS		
Ferlo	Requesting various reappointments to Human Relations Commission to appear before Council	1278
Ferlo	Support for the Duquesne Light GPU Transmission Line	620
Ferlo	Vacate the position of the Presidency of Council	68
Madoff	Asking Business District to donate to the Graffiti Fund	1243
Madoff	Breakdown on crimes and offenses for District 2 for the year 1991-92	67
Madoff	Janet Berkowitz appear before Council prior to her appointment to the City's Ethic's Hearing Board	1189
Madoff	Receive and file Bill No. 3246 - Communication from John Walluk submitting revised regulations for collection	1850
Madoff	Withdraw her interim approval for Lieutenant Roger Vinyard	1972
O'Connor	Notify contractor and appropriate City Departments to keep debris off construction sites within the City	1376
O'Connor	Post Agenda for organizing special task force for business leaving the City	238
O'Connor	Send a message to the military bases regarding how welcome they are to Pittsburgh	631
Onorato	Contact Director Walluk and ask his procedure for refuse pick-up on holidays	1280
Onorato	Post Agenda with City Controller and Director of Finance regarding the financial picture of the City	1369
Ricciardi	Ask Irene McLaughlin to come in front of Council at Committee Session before getting appointed as City Magistrate	37
Ricciardi	Bill No. 1830 - revert the context of the bill back to a two-year term based on the Charter which requires that magistrates be appointed in staggered terms	110
Ricciardi	Contact Dr. Baker regarding the privatizing of the Zoo	1520
Ricciardi	Mention the name NeighborFair in Bill Nos. 2725 & 2726 - contracts for beautification of Greenways	1307
Ricciardi	More consideration on Bill No. 2794 - Item K on property sale	1271
Ricciardi	Urging the Pittsburgh Board of Education to pass a tax gentrification bill similar to Act 146 of 1988 by the PA General Assembly	632
Smith	Legal opinion from Solicitor for actual structuring under state and federal statutes for exemption of property	1637

MOTIONS

SPEAKER

SUBJECT

PA

NOMINATIONS

Madoff	Michael Perry for reappointment of City Clerk and Linda Johnson-Wasler for reappointment of Assistant City Clerk	4
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OVERRIDE VETO

Darkins	Mayor's veto on Bill No. 3587 - Making appropriations of conducting public business of the City, item, Vulvar Pain Foundation, \$10,000.00	2
Ferlo	Mayor's Veto on Bill No. 2892 - Resolution for swimming pool fees	1
Ferlo	Mayors' veto on Bill No. 3473 - Ordinance Title One, Personnel, Authorization to Fill Without Competition	2
Ricciardi	Mayor's veto on Bill No. 740 - Ordinance Title Six, Chapter 601, "Loitering for the Purpose of Engaging in Drug Related Activities	1

RECESSED MEETINGS

Cohen	The November 8 meeting so that the Mayor can present the 1994 Budget Address	1
Ferlo	Meeting on August 16, 1993 until August 18, 1993	1
Madoff	The regular meeting on June 22, 1993 for five minutes	1
Wagner	December 14, 1993 to meet again on December 17, 1993 for final action on the budget	2

RECOMMIT

Cohen	Bill No. 1869 - Contract for repair of equipment in connection with City's Capital Construction	1
Cohen	Bill No. 2125 - URA and CMU for sale of Parcel 2, Subdistrict 1- West, 4th Ward	1
Cohen	Bill No. 2501 - Agreement in connection with Rehabilitation of Schenley Park Bridge over Boundary Street	1
Cohen	Bill No. 2921 - advertise for proposals to award Contracts to commercial realtor	2
Cohen	Bill No. 3357 - Ordinance Title Six, Conduct, Refuse Collection on the Fourth of July Holiday	2
Darkins	Bill No. 2179 - Contract for the Construction of the Courts Facility Foundation, Package 1 of Phase I	1
Darkins	Bill Nos. 2724, 2725 and 2726 - Contracts for maintenance of Greenways at various locations	1

MOTIONS

SPEAKER	SUBJECT	PAGE
	RECOMMIT	
Ferlo	Bill No. 1843 - Lease for certain property for Senior Citizen Facilities and/or Management Agreements, \$201,222.00	118
Ferlo	Bill No. 1924 - Community Statement in connection with the 1992 CDBG Program, Dept. of City Planning and Parks & Recreation	228
Ferlo	Bill No. 1963 - Agreement for professional services in connection with evaluation of the Civil Service examinations	274
Ferlo	Bill No. 2007 - Ordinance, Title One, Administrative Chapter 169 Warrant and Checks	289
Ferlo	Bill No. 2126 - Agreement with Commonwealth of PA and Bureau of Blindness and Visual Services	461
Ferlo	Bill No. 2232 - Ordinance amending Title Six, Conduct, Chapter 603, Parades and Crowds Section 603.3(c) Permit Fee, excluding veterans' organizations	670
Ferlo	Bill No. 2625 - Ordinance changing from Special District to Limited District, Crown Wrecking Company, Inc.	1449
Ferlo	Bill No. 2762 - Sewage Facilities for Plum Borough and the Plum Borough Municipal Sewer Authority	1234
Ferlo	Bill No. 2792 - retain a retiree health insurance and cost reduction program	1303
Ferlo	Bill No. 2889 - Ordinance, Chapter 619, Refuse Collection, deleting Dept. of Environmental Services	1405
Ferlo	Bill No. 2899 - Ordinance Title Six, Conduct, Chapter 619, deleting Dept. of Environmental Services	1559
Ferlo	Bill No. 3005 - Cooperation Agreement with URA for Pittsburgh Technology Center	1813
Ferlo	Bill No. 3095 - Warrant to Lawyer's Committee For Civil Rights Under Law	1753
Ferlo	Bill No. 3390 - operation of Allegheny County Residential Finance Authority for tax-exempt transaction	2019
Madoff	Bill No. 2494 - granting Apotolou Associates to construct an existing parking pad on a portion of the right-of-way of Jennie Street, 19th Ward	856
Madoff	Bill No. 2665 - URA sale of properties in 18th Ward	1023

MOTIONS

SPEAKER

SUBJECT

PA

RECOMMIT

O'Connor	Bill No. 2044 - Ordinance Title One, Repealing Chapter 133, Environmental Services, Section 119.02, Powers and Duties of Director	
Onorato	Bill No. 1978 - Conditional Use for Allegheny General Hospital	
Onorato	Bill No. 2843 - Warrant for Stanley Dutchko, \$19,000.00	1
Onorato	Bill No. 2939 - Ordinance for Title Seven - Amusement Devices	2
Ricciardi	Bill No. 2179 - Contract of the Courts Facility Foundation, Package 1 of Phase I, of the New Public Safety Complex	
Ricciardi	Bill No. 2740 - Contract for Planting and Tree Replacement in Various Business Districts	1
Ricciardi	Bill No. 3065 - Warrant for Public Strategies, Inc., \$1,600.00	1
Ricciardi	Bill No. 3361 - URA and AHI Development, Inc. property sale	2
Smith	Bill No. 3356 - granting University of Pittsburgh a parking area	1

RECONSIDER

Ferlo	Bill No. 3246 - Submitting revised Regulations for collection of solid waste	:
Ferlo	Bill No. 3510 - URA Property Sale, 15th Ward	:
O'Connor	Bill No. 2571 - Phipps Conservatory Lease	:
Ricciardi	Bill Nos. 2499, 2502 and 2503 - Reconstruction of Grant Street/Liberty Avenue, Phase 3	

RESCIND

Ferlo	The motion to vacate the Presidency of Council on January 26, 1993
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TABLED BILLS

Ferlo	Bill No. 1602 - Agreement with Carol Rosenbloom, Inc. for operating of the Schenley Park Golf Course
Ferlo	Bill No. 2007 - Ordinance Title One, Administrative Chapter 169, Warrants and Checks
Ferlo	Bill No. 2856 - warrant for Ron Pettinato, \$100.00
Ferlo	Bill No. 3305 - Appointing Daniel Butler as City Magistrate
O'Connor	Bill No. 3510 - URA Property Sale, 15th Ward
Onorato	Bill No. 2178 - Agreement with Center for Emergency Medicine of Western Pennsylvania/Infectious Disease Control

MOTIONS

SPEAKER	SUBJECT	PAGE
TELEWISE PUBLIC HEARINGS		
Cohen	Post Agenda on the briefing of Cable Rate regulations and relief	834
Cohen	Post agenda on CDBG money for more police	1614
Ferlo	Public Hearing on the Phipps Conservatory takeover	873
Ferlo	Public Hearing on the Tow Pound	837
Ferlo	Public Hearings on the tiller truck and the light company	748
Ferlo	Public hearing on Billboards	620
Madoff	Public Hearing on the curfew legislation	125
O'Connor	Public hearing on the Zoo privatization	1779
Ricciardi	Public Hearing on Annual Report on Military Spending and impact on local economy	110
Smith	Post Agenda with State Legislative Officials or represent part of the City pertaining to violent crimes in Pittsburgh	1684
Smith	Post agenda meeting on House Bill 65	1610
Smith	Public hearing on regulating cable rates	1798

UNTABLED BILLS

Cohen	Bill No. 3502 - Ordinance for Dangerous Dog Law	2208
Darkins	Bill No. 3098 - agreement with Penn Hills and ALCOSAN	1700
Ferlo	Bill No. 1968 - Warrant in favor of Michael Facchiano contracting, \$138,398.96 for extra work	436
Ricciardi	Bill No. 1875 - Warrant in favor of Allison Park Contractors, \$60,177.89	271,
Ricciardi	Bill Nos. 2499, 2502 and 2503 - Amending Capital Budget, regarding Grant Street, Liberty Avenue, Phase III, \$9,500,000	929

ORDINANCES

BILL NO.	SUBJECT	PAGE
<u>PITTSBURGH CODE</u> <u>HOME RULE CHARTER</u>		
2676	Directing the Allegheny County Board of Elections a referendum question which would amend Section 305 of the Home Rule Charter Organization of Council	928,991
2823	Directing the Allegheny County Board of Elections to place before the qualified voters of the City of Pittsburgh a referendum question which would amend Section 207 (deputy Mayor) and Section 305 (Organization of Council) of the Home Rule Charter	1216
2895	Directing the Allegheny County Board of Elections to place before the qualified voters of the City of Pittsburgh a referendum question which would amend Section 305 (Organization of Council)" of the Home Rule Charter	1298

PITTSBURGH CODE MISCELLANEOUS

1179	Establishing the "Advertising Sign Enforcement Trust Fund" and certain funding and disbursement guidelines for said Trust Fund and authorizing and directing appropriate City Officials to fulfill such guidelines	767
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PITTSBURGH CODE TITLE ONE - ADMINISTRATIVE

1808	Title One, Administrative, Article VII, Procedures, chapter 161 Contracts, Section 161.02, Competitive Bidding Exceptions	28
1980	Title One, Administrative, Article III, Organization, Chapter 116, Department of Public Safety, authorizing the Director, Department of Public Safety to establish a Bias Crime Unit within the Bureau of Police	176
2007	Title One, Administration, Article VII, Procedures, Chapter 169, Warrants and Checks	219,289,316
2024	Title One - Administrative, Article XI - Personnel, Chapter 197 - Code of Conduct (Know as the Ethics Ordinance)	221,289
2025	Title One - Administrative, Article IX, Boards, Commissions and Authorities, Chapter 172 - Private Section Commission on Cost Control, subsection 172.01, Creation, Organization Quorum and Rules, and Subsection 172.02, Powers and Duties and by renaming the Commission	221,315

ORDINANCES

BILL NO.	SUBJECT	PAGE
<u>PITTSBURGH CODE</u>		
<u>TITLE ONE - ADMINISTRATIVE</u>		
2044	Title One - Administrative, by repealing Chapter 133 - Department of Environmental Services, by amending Section 119.02 Powers and Duties of Director of Public Works, by adding certain powers and duties previously under the Department of Environmental Services and Parks and Recreation	267,337
2141	Title One - Administrative, Article VII, Procedures 394,500 Chapter 161, "Contracts", by adding a new Section 161.26, Employees Benefit Administration	394,500
2527	Title One - Administrative, Chapter 161, Revise Public Work Contract Regulations	760
3473	Title One - Administrative, Personnel, Sections 184.01 Authorization to fill without competition, 184.02 Qualifications, 184.03 Recruitment, 184.04 Selection and 184.05 Probation, Repealing Chapter 184	2057,2221
<u>PITTSBURGH CODE</u>		
<u>TITLE TWO - FISCAL</u>		
1812	Title Two, Fiscal, Chapter 263, Real Property Tax by creating a real property tax exemption program and a process for application thereunder	29,178
1982	Title Two, Fiscal, Article VII, Business Related Taxes Chapter 243, Business Privilege Tax, by amending Section 243.05, "License Required Fee, Issuance and Posting	177
2087	Title Two - Fiscal, Article VII, Business Related Taxes, Chapter 243, Business Privilege Tax, by adding Section 243.05 License Required, Fee, Issuance and Posting." This shall become effective December 31, 1993	312,333
2788	Title Two - Fiscal, Article IX, Property Taxes Chapter 261, Personal Property Tax, Section 261.07 Tax Payment and Collection, by changing the due dates for remittance of tax	1154,1232
3413	Title Two, Fiscal, Article IX "Property Taxes, Chapter 263, Real Property Tax", Section 263.01, "Levy and Rate on Lands and Buildings" by levying the real property tax for 1984 (184.5 mills on Land (32 mills on Building)	1992,2203
3449	Title Two - Fiscal, Article I, Administration, Chapter 213, Investment and Divestment	2016,2158

ORDINANCES

BILL NO.	SUBJECT	PAGE
<u>PITTSBURGH CODE</u>		
<u>TITLE TWO - FISCAL</u>		
3468	Title Two - Fiscal, by changing the Rate of Interest on certain delinquent Earned Income and Home Rule Taxes	2160
3503	Title Two, Fiscal, by changing the Rate of Interest on certain delinquent Earned Income Home Rule Taxes	2130
<u>PITTSBURGH CODE</u>		
<u>TITLE FOUR - PUBLIC PLACES AND PROPERTY</u>		
2818	Title Four - Public Places and Property, Parks by adding new Chapter 480 - Playground Safety and new Section 480.1, Playground Safety Assessment and Section 480.02 Comprehensive Playground Safety Program	1215
3504	Title Four - Public Places, Streets and Sidewalks Chapter 416 - Obstructions, Permits Required, by including certain signs, awnings, canopies and sidewalk cafes as minor obstructions and removing such signs, awnings, canopies and sidewalk cafes from the major public way encroachment procedure	2130,2214
<u>PITTSBURGH CODE</u>		
<u>TITLE FIVE - TRAFFIC</u>		
2145	Title Five, Chapter 549, Residential Parking Permit, to amend Section 549.06(c)	395,898
2626	Towing, Chapter Five, Towing Charges, Section 525.02, Schedule of Towing Fees, by setting towing fees for stolen passenger vehicles and flat bed towing when justified	891,1506
2627	Title Five, Traffic, Article III, Towing, Chapter 525, Towing Charges by adding Section 525.05, Prohibition of City Towing Recommendation	891
<u>PITTSBURGH CODE</u>		
<u>TITLE SIX - CONDUCT</u>		
740	Title Six - Conduct, Article I - Regulated Rights and Actions Chapter 601 - Public Order - by adding Section 601.19 entitled Loitering for the purpose of engaging in Drug Activity	1457
1937	Title Six - Conduct, Article I, Regulated Rights and Actions by adding Chapter 608 Youth Offender Work Corps	140,234
2232	Title Six, Conduct Chapter 604, Parades and Crowds, Section 603.03(c) Permit Fee, by excluding Veteran's Organizations	485,670

ORDINANCES

BILL NO.	SUBJECT	PAGE
<u>PITTSBURGH CODE</u> <u>TITLE SIX - CONDUCT</u>		
2525	Title Six, Conduct, Chapter 603, Parades and Crowds, Section 604.03 (c) Permit Fee by decreasing certain fees	857
2653	Title Six - Conduct, Article I, Chapter 601, Section 601.01 by providing the Director of the Department of Public Works the authority to create regulations controlling the posting of directional signage within the public right-of-way	924,1175
2889	Title Six - Conduct, Article I, Regulated Rights and Actions, Chapter 619, Refuse Collection and Recycling: By deleting "Department of Environmental Services" and inserting "Department of Public Works through Chapter 619 in it's entirety and by supplementing Section 6519.02 Municipal Waste to be collection by City, by providing alternate collection of refuse pickup every two (2) years	1296,1400
2899	Title Six - Conduct, Article I - Regulated Rights and Actions, Chapter 619 - Refuse Collection and Recycling by deleting "Department of Environmental Services and inserting "Department of Public Works throughout Chapter 619, by providing pickup after certain holidays	1298,1408 1559,1630
3274	Title Six - Conduct, Article I - Regulated Rights and Actions, Chapter 607, Firearms and other Weapons, by adding "Ammunition and placing prohibitions on assault weapons and requiring identification for the purchase of ammunition	1796
3357	Title Six - Conduct, Article I, Regulated Rights and Actions, Chapter 619	1921
3377	Title Six, Conduct, Article I, Regulated Rights and Actions, Chapter 611, Alarms	1925,2220
3450	Title Six, Conduct, Article V, Discrimination, Chapter 651, Findings and Policy, Section 651.04 Definitions by repealing Subsections (l) and (m) and Chapter 657, City Contracts. Section 657.03 South Africa Prohibitions	2016,2158
3502	Title Six - Conduct, Article III - Dogs and Other Animals, Chapter 663 - Dogs, by adding a new section authorizing the City Treasurer to perform the duties imposed by the Pennsylvania Dangerous Dog Law, P.S. Section 459-etseq.	2129,2207

ORDINANCES

BILL NO.	SUBJECT	PAGE
<u>PITTSBURGH CODE</u>		
TITLE SEVEN - BUSINESS LICENSING		
2119	Title Seven - Business Licensing, Service businesses by adding creating a new Chapter 767 Bed and Breakfast Establishments	331
2868	Title Seven - Business Licensing, Amusement Business Chapter 771 - Amusement Places and Producers Section 771.05 - License Fees for Producers, by adding subsection (c)	1266,1344,1391
2939	Title Seven - Business Licensing Chapter 777, Mechanical Amusement Devices, by limiting the proliferation of Electro Mechanical Gambling Devices	1391,2165,2220
<u>PITTSBURGH CODE</u>		
TITLE NINE - ZONING		
675	Title Nine, Zoning, by providing a definition, Use Exceptions and regulations for a bed and breakfast type of occupancy with four to ten guest rooms as a conditional use exception	502
1178	Title Nine, Zoning, Article V, Regulations Applicable to All Districts, Chapter 987, Signs to revise advertising sign regulations	767,1755
1977	Title Nine - Zoning, Article III, Chapter 921, Section 921.02 Zoning District Map Nos. 6 and 7	176
2144	Title Nine - Zoning, Article III, Chapter 921, Section 921.02, Zoning, District Map No 11 Penn Avenue between Friendship Avenue and Cullen Street 9th Ward	394,897
2251	Title Nine - Zoning, Article III, Chapter 921, Section 921.02, Zoning District Map Nos. 7 and 12 Wharton Street, South 18th Street; Fox Way and South 17th Street, 17th Ward	564,961
2528	Title Nine - Zoning, Article III, Chapter 921, Section 921.02, Zoning District, Map No. 8, by changing from 1. "S" Special District to "M1" Limited Industrial District all certain property bounded by Denlin Street; Hillgrove Avenue, 20th Ward	760,1235
2625	Title Nine, Article III, Chapter 921, Section 921.02 Zoning District Map No. 4, by changing from "S" Special District to "M2", Property located in Bell Farm area owned by Crown Wrecking Company	891
2656	Title Nine, Zoning, Article III - Chapter 921, Section 921.02, Zoning District Map No. 13, by changing from "R3" Multiple-Family Residence District to "M2" Limited Industrial District certain property having frontage on the westerly side of Second Avenue north and south of Vespucius Street, 15th Ward	924,1308

ORDINANCES

BILL NO.	SUBJECT	PAGE
<u>PITTSBURGH CODE</u> <u>TITLE NINE - ZONING</u>		
2699	Title Nine, Zoning, Article III, Chapter 921, Section 921.02, Zoning, District Map No. 6, by changing from "M2" Limited Industrial District to "C3" Commercial District all that certain property bounded by: Pennsylvania Avenue, Brighton Place 22nd Ward	1409
2765	Title Nine, Zoning, Article II Chapter 921, Section 921.02, Zoning District Map No. 7, by changing from "R3" Multiple-Family Residence District and "M3" Light Industrial District to "A1" Commercial Residential Associated District all that certain property bounded by: Wabash Street; Greentree Road; McKnight Road; McKnight Street, 20th Ward	1018,1567
3055	Title Nine, Zoning, Article I, Administration, Chapter 903, Definitions, Chapter 931 through 943 to include family day care homes amongst the permitted uses in certain residential districts	1490,2174
3358	Title Nine, Zoning, Chapter 921, 921.02, by Changing 619 - Refuse Collection and Recycling, by supplementing Section 619.02, Municipal Waste to be collected by City, by providing for refuse pickup before, during and/or after Fourth of July	1921
3313	Title Nine, Zoning, Article III, Chapter 921, Section 921.02, Zoning District Map No. 12, Lydia Street lot 35 in the William Barker Jr. Heirs Plan	2163
3359	Title Nine, Zoning, Article VI, Regulations Applicable to All Districts, Chapter 993, Exceptions, Section 993.01 Use Exceptions, subsection (a) Conditional Use Permitted by Council to allow Riverboat Gambling	1922

PITTSBURGH CODE TITLE TEN - BUILDING

1180	Title 10 - Building, Chapter 1007, BOCA National Building Code 114.3.1 Fee Schedule Section 1007.02 create a new subsection	825
1611	Title Ten - Building, Chapter 1007 BOCA, Subsection 120.1 "Right to Deem Unsafe" and 120.7 "Cost Recovery"	147
3056	Title Ten - Building, Chapter 1007, BOCA, Section 1007.02, by increasing from six(6) to seven (7) the number of persons a day care facility provides care for	1490

AGREEMENTS

BILL NO.	SUBJECT	PA
3212	Operative Agreement - Allegheny County implementing Allegheny County Police horse mounted patrols	1699, 1
3054	9th Ward Youth Association, \$7,000.00	1489, 1
3052	9th Ward Youth Association, \$7,000.00, Amending No. 491/1992	1489, 1
2733	Acquire title in fee to certain lot of ground, 1st Ward, public use ancillary to the construction of the Public Safety Complex	988,1179,1659, 1
2609	Agencies to implement the Pittsburgh Literacy Initiative, \$7,640.00, Amending No. 704/1980	888, 1
2263	Alleghenians, Ltd., \$1,000.00	566, 1
2406	Allegheny County Law Enforcement Office, \$1,500.00	584, 1
2272	Allentown Business Association, \$750.00	567, 1
3426	Allentown Business Association, \$750.00, Amending No. 432/1993	1994, 1
2273	Allentown Civic Association, \$750.00	567, 1
3427	Allentown Civic Association, \$750.00, Amending No. 433/1993	1994, 1
2274	Apostolic Alliance Village, \$2,000.00	567, 1
2366	Arc House, \$2,000.00	579, 1
1888	Architectural/Engineering Services in connection with Various City Projects, \$400,000.00	107, 1
2367	Arlington Meals on Wheels, \$1,000.00	579, 1
2407	Arsenal Board of Trade, \$4,000.00	584, 1
2264	Arthritis Foundation, \$1,000.00	566, 1
2278	B'Nai Brith Foundation, \$2,000.00	568, 1
2056	Bank for professional services in connection with implementation of Visa/Mastercard Payment Program at Phipps Conservatory, \$25,000.00	269, 1
2408	Beechview Community Council, \$3,000.00	584, 1
2638	Beltzhoover Neighborhood Council Teenage Awareness Program (TAP), \$500.00	893, 1
2368	Beltzhoover Neighborhood Council, \$4,000.00	579, 1
2369	Bethan House Ministry, \$1,000.00	579, 1
2017	Bethlehem Haven, Emergency Shelter Grants Program	220, 1
2802	Bethlehem Haven, State Emergency Shelter Grants Program, \$20,000.00	1156, 1
2312	Better Block Development Corporation, \$10,000.00	
2370	Black Contractors Association, \$4,750.00	580, 1
2019	Black Vietnam Era Veterans, Emergency Shelter Grants Program	220, 1
2371	Black Vietnam Vets, \$5,500.00	580, 1
2261	Bloomfield Block Watch, \$4,000.00	565, 1
2409	Bloomfield Citizens Council, \$6,000.00	585, 1
2372	Boys & Girls Club, \$14,000.00	580, 1
2410	Boys and Girls Club of Western PA, \$2,500.00	585, 1
2639	Boys and Girls Club of Western Pennsylvania for Pittsburgh Summer Basketball League, \$1,500.00	893, 1
2432	Boys and Girls of Western Pennsylvania, \$1,500.00	588, 1

AGREEMENTS

BILL NO.	SUBJECT	PAGE
2411	Brashear Association, \$10,000.00	585, 727
2373	Brashear Association, \$5,000.00	580, 718
3204	Breachmenders for maintenance on property in 4th Ward	1698, 1800
2275	Brighton Heights Citizens Federation, \$1,500.00	568, 700
1923	Brookline Businessmen's Little League, \$1,000.00	137, 190
2276	Brookline Chamber of Commerce, \$2,500.00	568, 701
2277	Brookline Meals on Wheels, \$2,000.00	568, 701
2412	Bump Yes Athletic Association, \$7,000.00	585, 727
2637	Caliguiri Hall Food Bank, \$1,000.00	893, 962
2265	Caliguiri Hall Food Bank, \$1,000.00	566, 698
2374	Carebreak, \$50,000.00	580, 718
1602	Carol S. Rosenbloom, Inc. for operating the Schenley Park Golf Course	345
2376	Carriage House - children's Center, \$1,000.00	580, 719
2375	Carriage House, \$8,000.00	580, 718
2413	Catholic Youth Association of Pittsburgh, Inc., \$4,000.00	585, 727
2477	Center For Emergency Medicine of Western PA for Infectious Disease Control Services, \$75,000.00	653, 826
2677	Center For Emergency Medicine of Western Pennsylvania, \$43,000.00	928, 1000
2178	Center For Emergency Medicine of Western Pennsylvania/Infectious Disease Control, \$75,000.00	433, 734
2377	Center for Independent Living, \$2,000.00	580, 719
2378	Center for Victims of Violent Crime, \$30,000.00	581, 719
2054	Certain improvements to the Bellefield Boiler Plant and to transfer to Presbyterian University Hospital, \$6,585.00	269, 370
2631	Certified Bank to install and operate a MAC Debit Card Access System at Auto Tow Pound	892, 967
2379	Chemical People Institute, \$3,000.00	581, 719
3041	Church of Good Shepherd and the Shepherd Wellness Community, \$2,000.00	1487, 1556
2968	City and Borough of Ingram in connection with the paving of Ingram Avenue from City line to Linshaw Street	1440, 1559
1861	City and The School District of Pittsburgh/with the County of Allegheny and the Real Estate Appraiser(s), \$25,000.00	103, 187
2414	City Theatre, \$6,000.00	585, 727
2380	Commission on Families, \$100,000.00	581, 720
1969	Commonwealth of PA for reimbursement to City of costs for salting and snow plowing State Highways within City limits	173, 291
1893	Commonwealth of PA, Dept. of Transportation to acquire various computer software at no cost to the City	107, 196

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BILL NO.	SUBJECT	PA
2223	Community Based Organization, \$600,000.00, Dept. of City Plannig	484,
2917	Community Based Organizations undertaking community economic development, \$54,060.59	1339, 1
2607	Community College of Allegheny County, \$3,917.92	888,
2610	Community College of Allegheny County, \$8,845.09, Amending No. 719/1990	888,
2612	Community Colleghe of Allegheny County, \$5,523.17, Amending No. 474/1992	889,
2608	Community Housing Resource Board, \$16,071.60	888,
2015	Community Human Services, Emergency Shelter Grants Program	220,
3191	Concession Agreement - County of Allegheny and the City for operation of a concession stand located in the lobby of the City-County Building	1654, 1
3541	Construction Inspection for Phase I of Fifth/Forbes Street Improvement Project, \$5,000,000.00	2135, 2
1889	Construction Inspection Services for Various City Projects, \$380,000.00	107,
2224	Consultant for Citizen Participation Process, \$60,000.00	484,
3538	Consultant for Engineering Services, Fort Pitt Boulevard, \$1,826,000.00, Amending No. 329/1993	2135, 2
2501	Consultant for Professional Engineering Service in connection with the Design of Rehabilitation of the Schenley Park Bridge, \$550,000.00	692, 866,
2009	Consultant for payment of services and expenditures for the implementation of the "Pittsburgh-Allegheny Geographic Information System", \$26,101.94, Amending No. 818/1992	219,
1964	Consultant for professional services in connection with evaluation of applicants as part of the Civil Service Commission's psychological assessment program, \$20,000.00	
2225	Consultant for consumer surveys for revitalization planning assistance, \$100,000.00	484,
3391	Consultant for state assistance with various agencies of government, \$30,000.00	1940, 2
2598	Consultant in connection with surveying of Boundary Street, \$17,500.00, Amending No. 812/1980	887,
3467	Consultant to assist in monthly cost of \$28,000.00 to Mayor's Office	2056, 2
2603	Consultant to conduct an Aerial Tramway Feasibility Study, \$50,000.00, Amending No. 190/1986	887,

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BILL NO.	SUBJECT	PAGE
2529	Consultant to conduct parking studies to determine if selected Pittsburgh residential neighborhoods meet the impact criteria of Residential Parking Permit Program Ordinance, \$25,000.00	760, 906
2475	Consultant to provide programming technical support services for computerized crime mapping system, \$65,000.00	653, 736
1905	Consultant(s) for Engineering Services in connection with the In-Depth Inspection of the Meadow Street Bridge, \$35,000.00	109, 200
3271	Consultant(s) for engineering services in connection with Rehabilitation of Schenley Park Bridge, Amending No. 594/1985	1796, 1902
1963	Consultant(s) for professional services in connection with evaluation of Civil Service examinations, \$100,000.00	172, 274
1900	Consultant(s) for Structure Engineering Services as needed, \$50,000.00	108, 197
1906	Consultant(s) for the In-Depth Inspection of the Corliss Tunnel, \$70,000.00	109, 200
1903	Consultant(s) in connection with NBIS Update Bridge Inspection of the Fort Pitt Boulevard Eastbound Bridge, \$30,000.00	109, 198
1904	Consultant(s) in connection with NBIS Update Bridge Inspection of the Schenley Park Bridges over Boundary Street and Panther Hollow, \$75,000.00	109, 198
2185	Consultant(s) in connection with the Rehabilitation of a portion of Ft. Pitt Blvd., \$1,026,000.00	435, 606
2628	Consultants for Design Services in connection with Magee Recreation Center addition, \$42,625.00	891, 944
3539	Cooperation Agreement - Allegheny County for City's share for improvements to City-owned facilities, \$600,000.00, Amending No. 626/1991	2135, 2224
2739	Cooperation Agreement - Allegheny County Renovations and Maintenance to the City-County Building	989, 1188
3272	Cooperation Agreement - Commonwealth of PA, Dept. of Transportation, \$275,000.00, Amending No. 827/1992	1796, 1905
3235	Cooperation Agreement - Community and Social Service Programs in Public Housing Communities, \$50,000.00	1736, 1860
3232	Cooperation Agreement - Community and Social Service Programs in Public Housing Communities, \$50,000.00 Housing	1736, 1857
3234	Cooperation Agreement - Community and Social Service Programs, \$100,000.00	1736, 1860
2121	Cooperation Agreement - Herr's Island and URA Parcel 8 for use as public park	332, 457
2972	Cooperation Agreement - Housing Authority for Community & Social Services Programs, \$100,000.00	1440, 1560

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BILL NO.	SUBJECT	PA
3164	Cooperation Agreement - Housing Authority for implementation of Community and Social Services Programs	1650, 1
2023	Cooperation Agreement - Port Authority and the Pittsburgh Water and Sewer Authority demolition and removal of old towers facilities at Allentown Tank/Grandview Park, \$250,000.00	220, 1
3233	Cooperation Agreement - Rehabilitation and Modernization of Housing for Low and Moderate Income Persons, \$1,004,000.00	1736, 1
2066	Cooperation Agreement - The Carnegie for construction of the Relocation of North Shore Drive through a portion of Stadium Parking Lot #1, Amending No. 50/1987	271, 1
2060	Cooperation Agreement - The Carnegie for renovations to various Carnegie Facilities, \$250,000.00	270, 1
3106	Cooperation Agreement - URA and Allegheny County and Pittsburgh City School district, financing of Pittsburgh Technology Center Tax Incremental Financing District	1602, 1
2694	Cooperation Agreement - URA and Glenwood Project Area Redevelopment Proposal	956, 1
2697	Cooperation Agreement - URA and the Strip District Redevelopment Area Proposal	956, 1
2230	Cooperation Agreement - URA designating the URA as City's agent for implementation of Federal Home Investment Partnerships Program, \$2,891,000.00	485, 1
2089	Cooperation Agreement - URA for Manchester Project, \$550,000 of Pittsburgh Home Ownership Program	313, 1
2405	Cooperation Agreement - URA for performance of certain work, CDBG 1993-94 Program, \$11,178,000.00	584, 1
1831	Cooperation Agreement - URA for the transfer of \$1,370,000 to the Authority to be used for streetscape improvements in the Penn-Liberty Cultural District	53, 1
1835	Cooperation Agreement - URA for the transfer to the Authority, \$238,000.00 to reconstruct part of Highland Avenue	54, 1
3396	Cooperation Agreement - URA for transfer amount, \$1,370,000 to the Authority for Penn-Liberty Cultural District, Amending No. 69/1993	1941, 1
3360	Cooperation Agreement - URA fund for below market rate mortgage financing for homeownership	1922, 1
3472	Cooperation Agreement - URA in connection with 1993-1994 CDBG Program, Central Location Agency	2057, 1
2624	Cooperation Agreement - URA in connection with the 1989-1990 CDBG Program, Summer Youth Employment Program, \$190,000.00	891, 1

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2020	Cooperation Agreement - URA in connection with the CDBG Program, \$9,689,000.00, Amending No. 604/1992	221, 321
1834	Cooperation Agreement - URA to transfer \$100,000 for the Downtown Top Shops Program	54, 145
1833	Cooperation Agreement - URA to transfer \$200,00 for riverfront improvements along the North Shore of Allegheny River	54, 144
1836	Cooperation Agreement - URA to transfer \$40,000 for defray cost of financial services required in connection with the Authority's bond	54, 145
3398	Cooperation Agreement - URA transfer of \$1,100,000 to the Authority for Crawford-Roberts Redevelopment Area	1941, 2023
2770	Cooperation Agreement - URA transfer of funds from the Authority to the City to fund community development corporations	1019, 1236
2975	Cooperation Agreement - URA, \$1,000,000 of Pittsburgh Home Ownership Program funds	1441, 1560
2767	Cooperation Agreement - URA, \$14,000,000.00 private investment in Andy Warhol Museum	1019, 1235
2404	Cooperation Agreement - URA, \$17,750,000.00 in public and private investment in Downtown Cultural District Development - Phase II, Strategy 21 funds	584, 724
2769	Cooperation Agreement - URA, \$4,500,000.00, private investment in Downtown Library Center	1019, 1235
3004	Cooperation Agreement - URA, \$50,000 Business Festivals under the Community Festival Program	1444, 1565
2977	Cooperation Agreement - URA, \$750,000 CDBG Program Funds, Rental rehabilitation Program Funds and Developer Private Investment Funds	1441, 1561
2979	Cooperation Agreement - URA, \$800,000 of Housing Revenue Bond Funds as Local Matching Share	1441, 1561
3007	Cooperation Agreement - URA, 1992-1993 Neighborhood Housing Program, \$300,000, Pittsburgh Home Ownership Program	1445, 1566
2993	Cooperation Agreement - URA, 1993-1994 California/Kirkbride Renewal Program	1443, 1564
2999	Cooperation Agreement - URA, 1993-1994 Crawford Square	1444, 1564
2985	Cooperation Agreement - URA, 1993-1994 Golden Triangle Management Program, \$100,000	1442, 1562
2997	Cooperation Agreement - URA, 1993-1994 Special Needs Housing Program	1443, 1564
2989	Cooperation Agreement - URA, 1993-1994 Start-An-Enterprise Program, \$100,000	1443, 1563
2991	Cooperation Agreement - URA, 1993-1994 Streetface Program, \$500,000	1443, 1563

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2987	Cooperation Agreement - URA, 1993-1994 Urban Development Fund Program, \$600,000	1442, 1
3001	Cooperation Agreement - URA, 1993-1994 Vacant Housing Redevelopment Program	1444, 1
2995	Cooperation Agreement - URA, 1993-1994 Western Restoration Project	1443, 1
2983	Cooperation Agreement - URA, 1994 Community Development Investment Fund Program, \$750,000	1442, 1
2981	Cooperation Agreement - URA, 1994 Housing Site Acquisition and Development Fund Program, \$400,000	1442, 1
3017	Cooperation Agreement - URA, Administrative fees, Construction Inspection of Station Square Road	1446, 1
3003	Cooperation Agreement - URA, CDBG Funds, Federal North Project, \$775,000	1444, 1
3005	Cooperation Agreement - URA, Pittsburgh for the Pittsburgh Technology Center	1444, 1813, 1
2381	Council Care, \$5,000.00	581,
2266	Crafton Heights Open Door, \$1,000.00	566,
2279	Deprived Poor Americans, \$1,000.00	568,
3530	Dept. of Parks & Recreation, \$10,000.00 for recreational instructional programs	2134, 2
3018	Design Services of Phase 1 - Courts Facility of Public Safety Complex, \$4,000,000.00	1446, 1
1797	Dickie, McCamey & Chilcote, P.C. for professional services, \$75,000.00	17
2382	Dollar Energy Fund, \$20,000.00	581,
3230	Duquesne University regarding the street vacations of Shingiss Street & McAnulty Drive	1735, 1
2541	Dynamic Color, Inc., for license of copyright interest and royalty fees to the Special Parks Programs Trust Fund, Dept. of Parks & Recreation	762,
2189	Easement Agreement - the Diocese of Pittsburgh in connection with maintaining sewers and waterline on The Catholic Institute of Pittsburgh, 14th Ward	
2280	East Boro Jewish War Vets, \$2,000.00	568,
2016	East End Cooperative Ministry, Emergency Shelter Grants Program	220,
2281	East End Discovery Block Club, \$500.00	568,
2255	East Liberty Concerned Citizens, \$1,500.00	565,
2383	Elder-Ado, \$9,000.00	581,
2384	Elizabeth Seton Center, \$10,000.00	581,

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2415	Elliot West End Athletic Association, \$3,500.00	585, 727
2282	Esplen Citizens Council, \$3,000.00	569, 702
2385	Esplen Senior Citizens, \$14,000.00	581, 721
2416	Federation of War Vets, \$1,800.00	585, 728
2452	Federation War Veteran Societies, \$2,000.00	590, 667
2386	Fencing for Fund, \$4,000.00	582, 721
2427	Fourteenth Ward Baseball Association, \$1,000.00	587, 730
2283	Friends of Knoxville Library, \$1,000.00	569, 702
2387	Friendship Development Association, \$6,000.00	582, 721
2262	Friendship Preservation Group, \$3,000.00	566, 698
2727	Furnishing of professional services for the benefit of City, \$60,000.00, Amending No. 1322/1992	987, 1177
2728	Furnishing of professional services for City neighborhoods, \$150,000.00	987, 1177
2388	Garfield Can, \$2,000.00	582, 721
2389	Garfield Jubilee, \$12,000.00	582, 721
2126	General Services with Commonwealth of PA and Bureau of Blindness and Visual Services, provide food service in Public Safety Building	332, 461, 517
2303	Generations Together, \$13,000.00	572, 707
2284	Genesis, \$2,500.00	569, 702
2426	George "Dew" Brown Summer League, \$3,000.00	587, 729
2390	Golden Carriage, \$4,000.00	582, 721
2146	Grant Agreement - South Side Local Development Company and URA, \$72,000.00, Neighborhood Housing Fund	395, 511
1804	Grant Agreement - with URA and East Allegheny Community Council, Inc., \$80,000.00 under Neighborhood Housing Fund	27, 63
2391	Grassroots Unlimited, \$1,000.00	582, 722
2267	Greater Pittsburgh VHF Society, \$1,000.00	566, 699
2392	Greater Pittsburgh Commission on Women, \$10,000.00	582, 722
2425	Greenfield Baseball Association, \$1,000.00	587, 729
2424	Greenfield Football Organization, \$1,000.00	586, 729
2423	Greenfield Organization Soccer, \$1,000.00	586, 729
2393	Greenfield Organization, \$15,600.00	582, 722
2313	Hazelwood Glenwood Glen Hazel Council, \$11,177.00	573, 708
2422	Hazelwood Little League, \$1,000.00	586, 729
2285	Health Education Center, \$1,000.00	569, 703
2314	Health Education Center, \$1,750.00	573, 708
2315	Heavenly Visions Ministries, \$1, 164.00	573, 708
2286	Highland Park Community Dev/CDC Formation, \$5,000.00	569, 703

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2259	Hill District Civic Association, \$5,000.00	569,
2871	Hill District Civic Association, \$5,000.00, Amending No. 419/1993	1267, :
2316	Hill District Ministries, \$7,000.00	573,
2317	Hilltop/Mt. Washington Meals on Wheels, \$4,000.00	573,
3348	Hiring of counsel to assist in the representation of City, \$10,000.00	1920, :
1860	Hiring of counsel to assist in the representation of the City for outside legal counsel, \$125,000.00	103,
2421	Homewood Art Museum, \$1,000.00	586,
2318	Homewood Brushton Community Improvement Association, \$5,000.00	573,
2419	Homewood Brushton Stingers Association, \$2,000.00	586,
2420	Homewood Burshton Athletic Association, \$2,000.00	586,
2601	Homewood-Brushton Citizens Renewal Council, \$54,087.68, Amending No. 785/1986	887,
2394	Hunger Services, \$55,000.00	583,
3378	Independent Contractor for purchase of Pharmaceutical Services, \$15,000.00	1925, :
3378	Independent Contractor for the purchase of Pharmaceutical Services, \$15,000.00	1
1985	Instructors to conduct training at the Training Academy with recruits, \$24,000.00	175,
1809	Internship for graduate student(s) for a period of one year from January 1, 1993 until December 31, 1993 to perform various energy related services for Dept. of General Services, \$24,586.00	
2287	Intestinal Disease Foundation, \$2,000.00	569,
2304	Jewish Community Center, \$30,000.00	572,
2307	Jewish Family & Childrens Service, \$29,000.00	572,
2604	Jewish Family and Children's Service Center, \$10,656.00, Amending No. 290/1989	888,
2600	Jewish Family and Children's Service Center, \$19,566.00, Amending No. 565/1988	887,
2605	Jewish Family and Children's Service Center, \$4,965.00, Amending No. 291/1989	888,
2319	Jewish Home for Aged, Riverview Center, \$10,000.00	574,
2591	Joseph and Joanne McCue that grants an easement at 97 Bald wick Road, 28th Ward	886,
2320	Just Inn Transition, \$2,500.00	574,
2288	Kingsley Association, \$3,000.00	569,
2321	Lawrenceville Block Watch Network, \$3,777.00	574,
2323	Lawrenceville Citizens Council, \$5,000.00	574,
2322	Lawrenceville/Bloomfield Meals on Wheels, \$4,000.00	574,
2250	Lease Agreement - Consolidated Rail corporation Dept. of Public Works, 12th Ward	564,
2572	Lease Agreement - Edward and Mary Ann Graf to lease two parcels of property along Nash Street between Pressley and East Ohio Streets for use of parking area and parklet	

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2806	Lease Agreement - nonprofit subsidiary of Carnegie Mellon University in connection with the operation of Schenley Park golf course	1157, 1311
2147	Lease Agreement - nonprofit subsidiary of Carnegie Mellon University in connection with the operation of the Schenley Park Golf Course	395, 517
3043	Lease Agreement - West Penn Motor Club in connection with property located at 202 Penn Circle West	1488, 1577
3151	Lease Agreement - Zoological Society in connection with taking over of the zoo operations, \$3,550,000.00	1626, 2164
2571	Lease Agreement with Phipps Conservatory, Inc. in connection with operation of Phipps Conservatory, Inc., \$2,100,000	853, 1039
1783	Leasing of office space and the necessary services required due to the relocation and housing of the various occupants of the Public Safety Building, \$120,000.00	14, 116
2187	License Agreement - Cameron Park Zoological and Botanical Society, Inc.	435, 609
3542	License Agreement - Duquesne Light Company Brilliant Warehouse, 12th Ward	2136, 2224
2084	License Agreement - Duquesne Light Company, install one pole along Central Avenue, 27th Ward	312
2186	License Agreement - Duquesne Light Company, install underground electrical system, 12th Ward	435, 609
2051	License Agreement - Duquesne Light Company, to install new underground electrical system along Greenfield Road and Pocussett Drive, 14th Ward	268, 344
2049	License Agreement - Duquesne Light to install one pole anchor along Andover Terrace, 5th Ward	268,
2050	License Agreement - Duquesne Light, install underground electrical system along Allegheny River Boulevard, 12th Ward	268, 344
3264	License Agreement - Equitable Gas Company, to install underground gas line system on City owned property	1795, 1898
3428	License Agreement - Overbrook Community Council, 2415 Saw Mill Run Boulevard, \$1.00	1995, 2035
2188	License Agreement - PA Dept. of Environmental Resources for right-of-way in connection with pedestrian bridge on Fort Duquesne Bridge	435, 609
2804	Light of Life Ministries, \$31,223.00	1156, 1273
2011	Light of Life Rescue Mission, Emergency Shelter Grants Program	220, 319

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BILL NO.	SUBJECT	P.
2418	Lincoln Place Youth Athletic Association, \$1,000.00	586,
2324	Lincoln, Larimer, Lemington, Belmar Revitalization Development Corporation, \$25,000.00	574,
3543	Maintenance Agreement - PA Dept. of Transportation, Fort Duquesne Bridge in Point State Park	2136, :
1899	Major Renovations of Recreation Centers and Senior Citizen Centers, \$750,000.00	108,
2326	Manchester Youth Development, \$20,000.00	574,
2325	Manchesters Craftman's Guild, \$15,000.00	574,
2544	Master Emergency Telecommunications Finance Agreement - City and Equipment Leasing Authority and Bell Atlantic TriCon Government Finance, Inc., \$9,574.73	763,
2940	Master Emergency Telecommunications Finance Agreement between the City's Equipment Leasing Authority and Bell Atlantic TriCon Government Finance, Inc., in connection with purchase of City's Automatic Location Identification System, \$9,574.73	1391, :
2175	Merchant Agreement - with Equibank, implementation of a Visa/Mastercard Payment Program at the City Tow Pound, Amending 654/1988	433,
2449	Merwin Boulden II Foundation, \$500.00	590,
2018	Miryam's, Emergency Shelter Grants Program	220,
2327	Miryams, \$2,000.00	574,
2801	Miryams, State Emergency Shelter Grants Program, \$30,000.00	1156,
2328	Mom's House, \$17,000.00	575,
2417	Morningside Little Vikings, \$1,000.00	586,
2254	Mt. Washington Community Corporation, \$1,000.00	564,
2611	Mt. Washington Children's Center, \$4,118.18, Amending No. 712, 1990	888,
3098	Municipality of Penn Hills and ALCOSAN for Sewage Service Agreement	1601,
2329	Negro Educational Drive, \$5,500.00	575,
2446	NeighborFair Pittsburgh, Inc., National Night out, \$2,500.00	589,
2330	Neighborhood Centers, \$5,000.00	575,
2599	Neighborhood Fund, Inc., \$87,862.04	887,
3066	New Construction design and Land Acquisition, \$1,000,000.00, Amending No. 247/1991	1492,
2331	Ninth Ward Youth Association, \$7,000.00	575,
3496	Non-profit organization for marketing of "Side Yard Program", \$50,000.00	2129,
2803	North Side Common Ministries, \$10,000.00	1156,
2289	North Side Meals on Wheels, \$1,000.00	570,
2332	Oakland Planning and Development, \$2,000.00	575,
2428	Observatory Hill, Inc., \$1,500.00	587,
2063	On-Going Restoration of Phipps Conservatory, \$300,000.00	

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2429	Overbrook Community Council, \$700.00	587, 730
2333	Ozanam Cultural Center, \$15,000.00	575, 711
2193	PA Dept. of Environmental Resources, Bureau of Forestry installation of street trees, Dept. of Engineering & Construction	436, 615
2763	Peabody High School, \$1,000	1018, 1236
2890	Peabody High School, for Band Parents, \$1,000.00, amending No. 830/1993	1297, 1365
2474	Pennsylvania Air National Guard 171st Air Refueling Wing/Civil Engineers in connection with its domestic action in Schenley Park	653, 734
2630	Pennsylvania Chiefs of Police Association, \$8,750.00	892, 967
2430	Perry Athletic Association, \$2,000.00	587, 730
2334	Perry Hilltop South CDC, \$20,000.00	575, 711
2305	Persad, \$36,500.00	572, 707
2309	Pittsburgh Action Against Rape, \$63,054.00	572,
2335	Pittsburgh Aids Task Force, \$5,000.00	575, 711
2308	Pittsburgh Blind Association, \$33,000.00	572, 708
2542	Pittsburgh Board of Public Education in connection with the Summer Food Service Program, \$750,000.00	762, 909
2336	Pittsburgh Children's Museum, \$13,500.00	575, 711
2397	Pittsburgh Community Services - Safety Program, \$250,000.00	583, 723
2395	Pittsburgh Community Services Hunger Trust Fund, \$200,000.00	583, 722
2396	Pittsburgh Community Services Small Grant Program, \$210,000.00	583, 722
2337	Pittsburgh Cultural Trust, \$10,500.00	575, 712
2431	Pittsburgh Dynamo Soccer, \$1,000.00	587, 730
2472	Pittsburgh Founders Celebration Council, \$12,000.00	652, 733
2338	Pittsburgh Literacy Initiative, \$5,000.00	576, 712
2448	Pittsburgh Mediation Center, Inc., \$2,500.00	590, 735
2222	Pittsburgh Partnership for administrative expenses, \$420,000.00, Dept. of City Planning	484, 656
2450	Pittsburgh Police Historical Society, \$1,500.00	590, 735
2339	Pittsburgh Recovery Systems - Homewood, \$5,000.00	576, 712
1789	Pittsburgh Sports & Festival Federation, \$150,000.00	15, 64
2290	Poise Foundation, \$4,000.00	570, 704
2734	Port Authority, Consolidated Rail Company, Equitable Gas Company, Dick Enterprises, Michael Baker, Jr., Inc. and A.J. Cindrich, Inc., repairs to the Brerton Street Retaining Wall	988, 1184
2268	Preservation Pittsburgh, \$4,000.00	566, 699
1925	Professional auditing services in connection with CDBG Program, Third Party Contracts, \$40,000.00	138, 231
3506	Professional Services for City residents, \$550,000.00	2130, 2215
1781	Professional services benefit City Residents, \$50,000.00, Dept. of Public Works	14, 61

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BILL NO.	SUBJECT	PA
3162	Project coordination services in connection with the City's Operation Weed and Seed Program, \$44,500.00	1650, 1
3170	Project Impact - Hazelwood for operational expenses, \$5,000.00, Amending No. 451/1993	1651, 1
2291	Project Impact Hazelwood, \$5,000.00	570,
3019	Project Stabilization with Building & Construction Trades Council, AFL-CIO & Signatory Local Unions for Phase 1 Courts Facility	1446, 1
1864	Provision of analysis and/or training in conjunction with the feasibility development of automated systems for various City Departments, \$130,000.00	104,
1863	Provision of training and development services to City employees	103,
1938	Psychologist for psychological services for 1993 Dept. of Public Safety for evaluations and therapy consultations, \$60,000.00	140,
1877	Purchase equipment and materials in connection with Various Swimming Pool Design and Rehabilitation, \$425,000.00	105,
1891	Purchase of equipment and materials in connection with Ballfield Relighting at Various Locations, \$125,000.00	107,
2741	Purchase of equipment and materials in connection with Rehabilitation of Existing Play Areas, \$100,000.00	989, 1
1887	Purchase of equipment in connection with Asbestos and Lead Testing/Abatement Program, \$357,810.00	107,
1884	Purchase of equipment in connection with Major Court Renovations for purchase of equipment for said project, \$115,500.00	106,
1892	Purchase of equipment in connection with the Overlook Improvements, \$25,000.00	107,
1885	Purchase of equipment in connection with the Rehabilitation of Existing Play Areas, \$544,000.00	106,
1782	Purchase of fuel for City owned vehicles, \$400,000.00	14,
3549	Reimbursement Agreement - Various Property Owners, Kaufmann's Dept. Store	2136, 2
2735	Repairs to the Brereton Street Retaining Wall, \$200,000.00	988, 1
2055	Revised ownership interest of the City in the Bellefield Boiler Plant after the purchase of capacity by Presbyterian University Hospital	269,
2340	Riverview Center for Jewish Seniors, \$5,000.00	576,
2292	Riverview Center Jewish Seniors, \$1,500.00	570,
2117	Roman Catholic Congregation of Prince of Peace Church and The City of Pittsburgh, \$1.00	331,
2293	Rosedale Block Cluster, \$1,000.00	570,
2341	Rosedale Block Cluster, \$5,000.00	576,

AGREEMENTS

BILL NO.	SUBJECT	PAGE
2342	Saint Canice Child Care Center, \$4,000.00	576, 713
2433	Saint Leo's Athletic Association, \$1,000.00	588, 731
2010	Salvation Army - Family Center for maintenance for Emergency Shelter Grants Program	219, 319
2398	Salvation Army Inebriate Program, \$60,000.00	583, 723
2346	Salvation Army North Side, \$2,000.00	577, 713
2970	Save the Aviary, Inc., \$100,000.00	1440, 1560
2269	Senior Friends, \$2,000.00	567, 699
2434	Sharing and Caring, Inc., \$6,500.00	588, 731
2347	Shepherd Wellness Community, \$11,000.00	577, 714
2348	Sheptysky Arms, Inc., \$15,000.00	577, 714
2295	Sheraden Community Council, \$1,000.00	570, 705
2435	Sheraden Slow pitch Softball, \$3,000.00	588, 732
2436	Shooting Star Productions, Inc., \$500.00	588, 732
2447	Sickle Cell Society, \$1,000.00	590, 735
2349	Sickle Cell Society, \$10,113.00	577, 714
2437	Sounds of Heritage, \$5,000.00	588, 732
2354	South Hills Interfaith Ministries, \$1,000.00	578, 715
2296	South Oakland Citizens Council, \$2,000.00	571, 705
2351	South Pittsburgh Economic Revitalization Team, \$16,777.00	577, 714
2297	South Point Breeze Citizens Organization, \$4,000.00	571, 705
3064	South Side Children's Advisory Council, \$1,000.00	1491, 1568
2258	South Side Children's Advisory Council, \$3,000.00	565, 697
2350	South Side Local Development Development Company, \$14,000.00	577, 714
2355	South West Pittsburgh CDC, \$16,777.00	578, 715
2256	Spring Garden Neighborhood Council, \$10,000.00	565, 697
2352	Spring Garden Neighborhood Council, \$30,000.00	577, 714
2270	Spring Hill Civic League, \$1,500.00	567, 699
2438	Spring View Athletic Association, \$3,500.00	588, 732
3540	St. Canice Child Care, \$500.00	2135, 2218
2343	St. Clair Athletic Association, \$4,000.00	576, 713
2344	St. Clair Citizens Council, \$1,000.00	576, 713
2260	St. George Food Bank, \$1,000.00	565, 697
2345	St. Mary's Church Lawrenceville Arts Program, \$5,000.00	575, 713
2294	St. Raphael's/Messiah Lutheran Food Bank, \$2,500.00	570, 705
2253	Steel Valley Authority, \$2,000.00	564, 696
2310	Steel Valley Authority, \$43,500.00	572
3284	Stenographic Reporting Services in connection with public hearing, \$2,000.00	1848, 1926
2353	Sudden Infant Death Syndrome, \$21,784.00	577, 714
2271	Thirtieth Ward Knoxville Block Watch, \$1,000.00	567, 700
2439	Three Rivers Aquatic, \$1,500.00	588, 732
2298	Three Rivers Labor Management, \$500.00	571, 706
2897	Thirtieth Ward Knoxville Block Watch, \$1,500.00, Amending No. 431/1993	1298, 1452

AGREEMENTS

BILL NO.	SUBJECT	PA
2190	Traffic Signal Maintenance Agreement with PA Dept. of Transportation, operation of traffic signal Route 51 and Woodruff Street	
2299	Twenty Ninth Ward Carrick Block Watch, \$1,500.00	571,
2399	United Cerebral Palsy Association, \$3,000.00	583,
2606	United Jewish Federation of Pittsburgh, \$37,694.00, Amending No. 293/1989	888,
2602	University of Pittsburgh - Office of Urban & Community Affairs for the Development of an Informational Profile of the Black Community, \$44,000.00	887,
2440	Uptown Little League, \$5,000.00	589,
2658	Urban League of Pittsburgh, Housing Counseling Program, \$210,000.00	925,
2356	Urban League, \$2,777.00	578,
2300	Urban Youth Action, \$2,000.00	571,
2357	Ursuline Center, \$12,000.00	578,
2590	Various agencies for implementation of 1993 Pittsburgh Partnership/Summer Youth Employment Program, \$252,968.91	886,
3493	Various agencies for implementation of Pittsburgh Partnership, \$507,603.18, Amending No. 722/1991	2128, 2
2142	Various agencies for implementation of Pittsburgh Partnership, \$638,653.00, Amending No. 722/1992	394,
2757	Various agencies for job development in connection with the 1993 Neighborhood Employment Program	1017, 1
3495	Various agencies for job development on-the-job training in connection with Pittsburgh Partnership Employment Program, \$100,000.00	2129, 2
2758	Various agencies for job development, 1993 Pittsburgh Partnership Employment Program, \$130,000.00	1017, 1
2636	Various Community Organizations to purchase equipment for rehabilitation of neighborhood facilities, \$119,580.00	893,
2234	Various community organizations for professional services, \$5,000.00	
1962	Various hospitals in connection with the administration and evaluation of medical examinations for Civil Service Commission's Medical Examination Program, \$150,000.00	172,
2221	Vendors for conducting management studies for training, \$273,599.67	484,
2358	Vietnam Veterans Leadership Program, \$16,000.00	578,
2359	Vintage, \$3,000.00	578,
2128	Walter H. Drane Company for professional services, \$11,500.00	333,
2441	Washington Heights Athletic Association, \$5,500.00	589,
2360	Washington Heights Ecumenical Food Bank, \$6,000.00	578,

AGREEMENTS

BILL NO.	SUBJECT	PAGE
2301	West End Elliott Citizens Council, \$3, 500.00	571, 706
2361	West End Elliott Joint Project, \$20,000.00	578, 716
2257	West End Elliott Joint Project, \$3,500.00	565, 697
2400	West Neighborhoods Employment & Training Program, \$20,000.00	583, 723
2401	Western PA Conservancy, \$75,000.00	583, 723
2311	Western Pennsylvania Conservance for the Community Self-Help Beautification, \$50,000.00	573
2442	Western Pennsylvania Conservancy, \$20,000.00	589, 733
2443	Western Pennsylvania Police Athletic Association, \$1,000.00	589, 733
2362	Westside Community Development Corporation, \$21,000.00	579, 716
2363	Whale's Tale, \$1,000.00	579, 717
2402	Wightman School, \$40,000.00	584, 723
2302	Wightman School-Carriage House, \$3,000.00	572, 707
1796	William M. Mercer in connection with Comprehensive Health Analysis and Management Program (CHAMP), \$140,000.00	17, 60
2014	Womanspace East, Emergency Shelter Grants Program	220, 320
2013	Women's Center and shelter, Emergency Shelter Grants Program	220, 320
2306	Womens Center and Shelter, \$47,000.00	572, 707
3203	Yanni-Bilkey Investment Consulting, \$4,000.00	1698, 1800
2012	YMCA - Centre Avenue, Emergency Shelter Grants Program	220, 320
2364	YMCA Lower Hill Outreach, \$6,000.00	579, 717
2805	YMCA of Pittsburgh - Centre Avenue Branch, \$25,000.00	1157, 1274
2365	Youthbuild, \$10,000.00	579, 717

ALLEGHENY COUNTY

3390	Electing to be within the field of operation of Allegheny County Residential Finance Authority permitting tax-exempt transaction	1940,2018,2093
3451	Authorizing the Port Authority to construct a one-story extension on Monongahela Incline Building	2017, 2139

ALLEGHENY COUNTY HEALTH DEPARTMENT

BILL NO.	SUBJECT	P.
2095	Directing the City Solicitor to join the Administrative Appeal of the temporary burning permit granted to Kosmos Cement Company by the Allegheny County Health Department	314,
APPLICATIONS		
1832	Application for financial assistance with PA Dept. of Community Affairs, \$169,000 under the Recreational Improvement and Rehabilitation Act Program for riverfront improvements	54,
1919	Application with U.S. Equal Employment Opportunity Commission in connection with Deferral of Employment Discrimination Charges	137,
2088	Application for financial assistance for \$225,000 to the Pennsylvania Dept. of Community Affairs for the Manchester Project, Liverpool Street Townhomes Project in Manchester	313,
2149	Application with Dept. of Transportation with Federal State and Community Highway Safety Programs	395,
2219	Application to the Dept. of Community Affairs for Emergency Shelter Grants program, 1993	484,
2226	URA to file 1993 Enterprise Zone Application, North Side Enterprise Zone	485,
2227	URA to file 1993 Enterprise Zone Application for East Liberty Enterprise Zone	485,
2228	URA to file 1993 Enterprise Zone Application for Lawrenceville Enterprise Zone	485,
2229	Application for federal assistance for certain certifications with U.S. Dept. of Housing and Urban Development, \$2,891,000.00 under Home Investment Partnerships Program	485,
2403	Application to PA Dept. of Community Affairs, Strategy 21 funds, \$17,750,000.00	
2445	Application with U.S. Dept. of Justice, \$1.5 million in "Operation Weed and Seed" funds	589,
2622	Application with U.S. Dept. of Housing & Urban Development in connection with 1990 CDBG Program, decreasing line item in Dept. of City Planning and adding reprogrammed funds to Dept. of Personnel & Civil Service, Amending No. 1228/1979	890,
2623	Application with U.S. Dept. of Housing & Urban Development in connection with 1979 CDBG Program, reduce line item Dept. of City Planning and create line item in Dept. of Personnel & Civil Service, Amending No. 1549/1978	890,
2695	Endorsement of Allequippa Terrace Revitalization Plan application, \$700,000.00	956
2766	URA to submit application to PA Dept. of Community Affairs for grant of Strategy 21 funds, \$6,000,000.00 for Andy Warhol Museum	1019,

APPLICATIONS

BILL NO.	SUBJECT	PAGE
2768	URA submit application to PA Dept. of Community Affairs for grant of strategy 21 funds, \$1,000,000.00 for Downtown Library Center	1019, 1235
2789	Application with Dept. of Labor and JTPA, \$648,413.00, Amending No. 764/1992	1154, 1232
2840	Application by the City with Dept. of Labor in connection with JTPA, \$2,404,145.00	1261, 1303
2841	Application by the City with Dept. of Labor in connection with Joint Jobs Initiative Program Single Point of Contact Project and Transitionally Needy Project, \$2,559,849.00	1261, 1304
2974	Application for financial assistance, \$1,000,000 URA to PA Dept. of Community Affairs for Neighborhood Housing Program	1441, 1560
2976	Application for financial assistance, \$750,000 URA to PA Dept. of Community Affairs for Rental Housing Development & Improvement Program	1441, 1561
2978	Application for financial assistance, \$800,000 URA to PA Dept. of Community Affairs for Housing Recovery Program	1441, 1561
2980	Application for financial assistance, \$400,000 URA to PA Dept. of Community Affairs for Housing Site Acquisition and Development Fund Program	1441, 1561
2982	Application for financial assistance, \$750,000 URA to PA Dept. of Community Affairs for Community Development Investment Fund Program	1442, 1562
2984	Application for financial assistance, \$100,000 URA to PA Dept. of Community Affairs for Golden Triangle Management Program	1442, 1562
2986	Application for financial assistance, \$600,000 URA to PA Dept. of Community Affairs for Urban Development Fund Program	1442, 1562
2988	Application for financial assistance, \$100,000 to PA Dept. of Community Affairs for the Start-An-Enterprise Program	1442, 1563
2990	Application for financial assistance, \$500,000 URA to PA Dept. of Community Affairs for Streetface Program	1443, 1563
2992	Application for financial assistance, \$1,000,000 URA to PA Dept. of Community Affairs for California/Kirkbride Renewal Program	1443, 1563
2994	Application for financial assistance, \$1,000,000 URA to PA Dept. of Community Affairs for Western Restoration Program	1443, 1564
2996	Application for financial assistance, \$1,000,000 PA Dept. of Community Affairs for Special Needs Housing Program	1443, 1564
2998	Application for financial assistance, \$1,000,00 PA Dept. of Community Affairs for Crawford Square Project	1444, 1564

APPLICATIONS

BILL NO.	SUBJECT	PAGE
3000	Application for financial assistance, \$1,000,000 PA Dept. of Community Affairs for Vacant Housing Redevelopment Program	1444, 1565
3002	Application to PA Dept. of Community Affairs for grant of Strategy 21 Funds, \$3,000,000 for Federal North Project	1444, 1565
3006	Application for financial assistance, \$300,000 URA to PA Dept. of Community Affairs for Neighborhood Housing Program	1444, 1565
3179	Application by City in connection with the Rehabilitation of South Side Riverfront Park Project	1652, 1774
3392	Application by City with U.S. Dept. of Labor/or Commonwealth of PA in connection with JTPA, \$724,938.00	1940, 2019
3531	Application by Dept. of Transportation, \$11,700.00, Highway Safety Project Grant Trust Fund	2134, 2167
3227	Filing an application with U.S. Equal Employment Opportunity Commission	1735, 1851

APPOINTMENTS

2817	Berkowitz, Janet	1321 Beechwood Boulevard, member of City's Ethics Hearing Board, term to expire June 15, 1995	1189, 1267
3305	Butler, Daniel	City Magistrate, term to expire January, 1996	1867, 1942
3080	Keller, David	Member of the Equipment Leasing Authority, term to expire December 31, 1996	1511
1830	McLaughlin, Irene	4307 Stanton Avenue, Pittsburgh, Pennsylvania 15201, as a City Magistrate for a term to expire January, 1995	37, 57
3284	O'Connor, Bob	Member of the Board of Trustees to the Phipps Conservatory, term to expire December 31, 1993	1814
3201	Rooney, James	Member of City Planning Commission term to expire January 1996	1676, 1739
2465	Roth, Dennis	1720 Beechwood Boulevard, Member of the Board of Standards and Appeals term to expire January of 1996	620, 693
3275	Swanson, D'Ann	Member of Public Auditorium Authority, term to expire December 1995	1796

APPOINTMENTS

RE-APPOINTMENTS

PAGE

BILL NO.	SUBJECT		
3259	Twenty-nine Members	Youth Advocacy Commission, term to expire August, 1995	1775
2787	Vallone, Reverend Louis	720 Arch Street, Pittsburgh 15212, Member of the Human Relations Commission, term to expire July, 1996	1146, 1216
2885	Bruice, Barbara	Member of Human Relations Commission, term to expire July, 1997	1275
2880	Cohen-Scott, Bernice	Member of the Human Relations Commission, term to expire July, 1997	1274
2883	Fox, Alma	Member of Human Relations Commission, term to expire July 1997	1274
2884	Marcovitz, Rabbi Richard	Member of Human Relations Commission, term to expire July, 1997	1275
2881	Proctor, Ralph	Member of Human Relations Commission, term to expire July 1997	1274
2882	Wellons, Constance	Member of Human Relations Commission, term to expire July, 1997	1274

BAXTER PLAYGROUND

3546	PA Dept. of Community Affairs in order to close out the Baxter Playground Project	2136, 2225
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BONDS

1423	Authorizing for nonelectoral debt General Obligation Bond, \$25,000,000	246
2595	Director of Finance to sell shares of common stock and/or bonds that the City as received to satisfy debts from various public companies	886, 990
3040	Lease Rental debt, \$16,500,000.00 entering Guaranty Agreement with Stadium Authority	1487, 1546

BOOT CAMP

3475	Depts. of Public Safety, General Services, City Planning and Engineering & Construction, to research a Boot Camp Facility Plan to youth offenders	2058, 2165
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BUDGET AMENDMENTS

BILL NO.	SUBJECT	PA
1895	Adopting and approving the 1993 Capital Budget and the 1993 CDBG Program, Miscellaneous Infrastructure Improvement, \$50,000.00 Amending 1348/1993	108,
2021	Adopting and approving the 1993 Capital Budget and the 1993 CDBG Program, Radio Towers and Building Amending 1348/1992	221,
2191	Adopting and approving the 1993 Capital Budget and the 1993 CDBG Program, Tree Planting Program, \$25,000.00 Amending 1348/1993	435,
2248	Making appropriations to pay the expenses of conducting of Public Business for the fiscal year beginning January 1, 1993 Amending 1346/1992	563,
2249	Fixing the number of officers and employees and the rate of compensation Amending 1347/1992	563,
2466	Adopting and approving the 1993 Capital Budget and the 1993 CDBG Program and approving the 1993 through 1998 Capital Improvement Program, reducing the CDBG funding allocation and making certain revisions and corrections Amending 1348/1992	651,
2502	Adopting and approving the 1989 Capital Budget and the 1989 CDBG Program Grant/Liberty Phase 3 Amending 1049/1989	692,
2503	Adopting and approving the 1991 Capital Budget and the 1991 CDBG Program, Grant/Liberty Phase 3 Amending 1415/1991	692,
2504	Adopting and approving the 1993 Capital Budget and the 1993 CDBG Program, South 12th Street Bridge Replacement, \$230,000.00 Amending 1348/1993	693,
2594	Carrying over balances or portions thereof remaining in certain code accounts for the year of 1992 to the same or to other code accounts for the year 1993	886,
2724	Adopting and approving the 1992 Capital Budget and the 1992 CDBG Program, Greenways, \$50,000.00 from Dept. of Finance to Public Works Amending 1296/1992	987,1176,
2736	Adopting and approving the 1993 Capital Budget and the 1993 CDBG Program, City-County Building Renovations Amending 1348/1993	988,
2738	Adopting and approving the 1992 Capital Budget and the 1992 CDBG Program, City-County Building Renovations, \$250,000.00 Amending 1296/1992	989,
3023	Adopting and approving the 1993 Capital Budget and 1993 CDBG Program, Station Square Road Amending 1348/1993	

BUDGET AMENDMENTS

BILL NO.	SUBJECT	PAGE
3024	Adopting and approving the 1993 Capital Budget and the 1993 CDBG Program, \$8,000,000.00 Public Safety Complex Amending 1348/1993	1447, 1591
3067	Adopting and approving the 1993 Capital Budget and the 1993 through 1998 Capital Improvement Program, Property Acquisition Amending 1348/1993	1447, 1591
3395	Adopting and approving the 1993 Capital Budget and the 1993 CDBG Program, Project 8 - Penn Liberty Cultural District, \$1,370,000 Amending 1348/1993	1492, 1592
3397	Adopting and approving the 1993 Capital Budget and the 1993 CDBG Program, Project 473-Crawford-Roberts Renewal, \$1,100,000 Amending 1348/1993	1941, 2023
3465	Fixing number of officers and employees and rate of compensation in Mayor's Office Amending 1347/1993	1941, 2023
3488	Making appropriations to pay expenses of conducting public business, beginning January 1, 1994	2056, 2158
3489	Fixing the number of officers and employees of all departments rate of compensation, beginning January 1, 1994	2128, 2171
3490	Adopting and Approving the 1994 Capital Budget and the 1994 CDBG Program and approving the 1994 through 1999 Capital Improvement Program	2128, 2171
3536	Adopting and Approving the 1993 Capital Budget and 1993 CDBG Program, \$2,500,001 Amending 1348/1993	2128, 2171
3537	Adopting and approving the 1991 Capital Budget and the 1991 CDBG Program, South 10th Street Bridge, \$600,000.00 Amending 1415/1993	2135, 2223

BUREAU OF BUILDING INSPECTION

2798	Chief of BBI to condemn the Stanton Heights Shopping Center, 10th Ward	1156, 1237
2894	Director of Dept. of Public Works, in consultation with Chief of Bureau of Police and BBI to submit to Council a "NUISANCE PROPERTY MASTER LIST"	1298, 1410
3508	Filing a sale of property petition at 5639 Rippey Street, 11th Ward, BBI initiate condemnation	2130, 2160

CABLE TELEVISION RATES

2719	Director of General Services to file documentation with the FCC to regulate cable television rates	2135, 2223
2720	Director of General Services to file complaint with the FCC challenging the rates of TCI of Pennsylvania, Inc.	986, 1030 986, 1030

BILL NO.

SUBJECT

CHANGING NAMES

BILL NO.

SUBJECT

PA

3102	Changing the name of McPherson Street to McPherson Boulevard, 14th Ward	1602, 1
3103	Changing the name of Terra Way to Yeshiva Way between Hobart Street and Covode Street, 14th Ward	1602, 1
3104	Changing the name of Flach Street to Flack Street, between Spring Street and Topeka Street, 16th Ward	1602, 1
3326	Changing the name of Alton Field in 19th Ward to Jim Rawe Field	1894, 1

CHARTERED TRIPS

2043	Rental of 2 charter buses for elderly City residents to attend a state-wide lobbying effort in Harrisburg to discuss National Health Care policies with Senator Harris Wofford, \$1,500.00	267,
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CITY EMPLOYEE ABSENTEES

3062	Directors of Personnel & Civil Service and Finance to begin a comprehensive review of employee absences among City employees assigned to work at 1600 West Carson Street	1.
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COMMUNITY DEVELOPMENT STATEMENT

2615	Community Development Statement, U.S. Dept. of Housing and Urban Development in connection with 1991 CDBG Program, reduce line item in Dept. of Engineering & Construction and create line item in Dept. of Personnel & Civil Service, Amending No. 507/1991	889,
1924	Community Development Statement, U.S. Dept. of Housing & Urban Development in connection with 1992 CDBG Program, Dept. of City Planning and Dept. of Parks & Recreation	138, 228,
2008	Community Development Statement with U.S. Dept. of Housing and Urban Development in connection with the 1993 CDBG Program	219,
2220	Community Development Statement U.S. Development in connection with the 1993 CDBG program adding "Index" to all CDBG Program	484,
2613	Community Development Statement in connection with the 1985 CDBG Program, reprogram funds from City Council to Dept. of Personnel & Civil Service, Amending No. 635/1985	889,

MISCELLANEOUS

COMMUNITY DEVELOPMENT STATEMENT

BILL NO.	SUBJECT	PAGE
2614	Community Development Statement, U.S. Dept. of Housing and Urban Development in connection with the 1990 CDBG Program, reduce line items in City Council and create line item in Dept. of Personnel & Civil Service, Amending No. 143/1990	889, 940
2616	Community Development Statement, U.S. Dept. of Housing and Urban Development in connection with 1989 CDBG Program, decrease line items in City Council, Dept. of Engineering & Construction and URA and create line item in Dept. of Personnel & Civil Service, Amending No. 79/1989	889, 941
2617	Community Development Statement, U.S. Dept. of Housing and Urban Development in connection with the 1988 CDBG Program, reprogram funds from City Council, Dept. of Engineering & Construction, Dept. of City Planning to the Dept. of Personnel & Civil Service, Amending No. 448/1988	889, 941
2618	Community Development Statement, Dept. of Housing and Urban Development in connection with the 1987 CDBG Program, reprogram funds from the Dept. of Engineering & Construction to the Dept. of Personnel & Civil Service, Amending No. 1181/1986	889, 941
2619	Community Development Statement, Dept. of Housing and Urban Development in connection with the 1986 CDBG Program, reprogram funds in the Dept. of Engineering & Construction, Dept. of Parks, and City Council to the Dept. of Personnel & Civil Service, Amending No. 234/1986	890, 941
2620	Community Development Statement, U.S. Dept. of Housing and Urban Redevelopment in connection with 1984 CDBG Program, reprogram funds from City Council to the Dept. of Personnel & Civil Service, Amending No. 301/1984	890, 942
2621	Community Development Statement, U.S. Dept. of Housing & Urban Development in connection with the 1992 CDBG Program, reduce line item in City Council and add line item in Dept. of Personnel & Civil Service, Amending No. 330/1992	890, 942
2971	Community Development Statement U.S. Dept. of Housing & Urban Development, 1993 CDBG Program, line item in Engineering & Construction	1440, 1560
3236	Community Development Statement with U.S. Dept. of Housing and Urban Development in connection with the 1993 CDBG Program, Amending No. 228/1993	1736, 1860

CONTRACTS AWARDED

1785	Limiting the awarding of all B Contracts to \$15,000.00	15, 34
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CONTRACTS

BILL NO.	SUBJECT	P.
1973	Asphalt repairs for the Dept. of Public Works	173,
2654	Concrete pavement maintenance rehabilitation and replacement throughout the City, \$400,000.00	924,
2523	Concrete slab replacement at various locations throughout the City, \$500,000.00	759,
2597	Construction of a 10' curb along the north side of Joncaire Street in Oakland, \$25,000.00	887,
1970	Construction of picnic shelters with site amenities for the Dept. of Public Works, \$30,000.00	173,
2179	Construction of the Courts Facility Foundation Package I and Phase I of the New Public Safety Complex, \$700,000.00	434,541,615
3229	Crack sealing for truck rental, \$200,000.00	1735,
2047	Crack sealing, micro surfacing cold in place recycling, sawing and sealing, \$2,811,734.00	268,
1986	Demolition and removal of condemned buildings, \$1,000,000.00	176,
2869	Demolition and removal of condemned buildings, \$100,000.00	1266,
2633	Design and Rehabilitation of Various Swimming Pools, \$130,869.68	892,
2921	Director of Finance to advertise for proposals to award and enter into Contract with commercial realtor(s) to market City of Pittsburgh tax delinquent properties	1340,1895,
1975	Fence repairs for the Dept. of Public Works	174,
2118	Flexible beam guiderails at various locations, \$50,000.00	331,
3312	Flexible beam guiderails throughout Riverview Park, \$70,000.00	1891,
2177	Furnishing and delivery of Saber 2 UHF Hi-Power Portable Radios, \$25,000.00	433,
1810	Furnishing of energy conservation equipment for the Dept. of General Services, \$215,000.00	28,
3053	Furnishing of modular furniture for Dept. of City Planning, \$28,500.00	1489,
1871	Furnishing of motorized fire equipment for refurbishing of motorized fire equipment, Dept. of General Services, \$225,000.00	105,
2948	General Services for maintenance of personal property for the maintenance of buildings in the custody of various departments	1392,
1902	Grant Street Maintenance Program, \$20,000.00	109,
2947	General Services for furnishing materials to purchase general supplies required by various departments of the City, \$10,000.00	1392,
1883	Installation of Traffic Signal Equipment at Various Intersections, \$75,000.00	106,
3214	Lease terminal equipment for the CLEAN hardware at the Emergency Operations Center, \$2,500.00	1700,

CONTRACTS

BILL NO.	SUBJECT	PAGE
2498	Miscellaneous Repairs to Various Streets, \$500,000.00	692, 865
1882	Miscellaneous Restoration of Various Water and Sewer Authority projects, \$100,000.00	106, 193
2705	Perry Central Neighborhood Council, \$300.00	958, 999
2740	Planting and Tree Replacement in Various Business Districts, \$25,000.00	989, 1188,1240
1897	Preventive Maintenance on Various Bridges	108, 197
1896	Preventive Maintenance on Various Bridges, \$400,000.00	108, 197
2061	Provide access by the handicapped to various City Facilities, \$75,000.00	270, 371
2524	Public sidewalk construction at various locations within the City, \$50,000.00	759, 897
2045	Purchase a brush chipper, Dept. of Parks & Recreation, \$12,285.00, Amending No. 959/1992	267, 344
3122	Purchase an outdoor camera system with installation for the Tow Pound, \$14,000.00	1605, 1675
1811	Purchase and install flooring for the Emergency Operations Center, \$20,000.00	28, 117
2143	Purchase and installation of high pressure sodium street lighting Dept. of Public Works, \$430,000.00	394, 501
2545	Purchase CAD System Software Upgrade for Emergency Operation Center, \$28,000.00	763, 943
3267	Purchase Computer Equipment for Bureau of Police, \$19,500.00	1795, 1902
1874	Purchase Cycle Helmets for the Bureau of Police, \$52,890.00	105, 190
2176	Purchase Cycle helmets for Bureau of Police, \$52,800.00	433, 604
2058	Purchase Emergency Information System/Chemical LAN Software for Emergency Operations Center, \$13,000.00	270, 345
2127	Purchase Fire Attack Hose for Dept. of Public Safety, \$14,000.00	332,
2912	Purchase from Com Squared Systems, Inc., the Optical Scanner Equipment and Maintenance, \$40,000.00	1338, 1448
2546	Purchase high speed printer for Emergency Operation Center, \$10,000.00	763, 943
3061	Purchase Lifepak 10 Defibrillator/Monitors Bureau of EMS, \$45,400.00	1491, 1577
1872	Purchase Load-O-Meter Scales for the Bureau of Police, \$14,000.00	105, 189
2632	Purchase of a Computer Local Area Network for Emergency Operations Center, \$35,000.00	892, 966
1886	Purchase of equipment and materials in connection with Safety Code compliance Program, \$30,000.00	107,
1901	Purchase of equipment in connection with Major Repairs and Emergencies to Park Facilities, \$200,000.00	108, 198
2167	Purchase of litter receptacles, \$40,000.00	432, 594
2166	Purchase of litter receptacles, \$50,000.00	431, 594

CONTRACTS

BILL NO.	SUBJECT	PA
1878	Purchase of Materials and Equipment in connection with Lighting and Electrical Repairs at Various Locations, \$78,300.00	106,
3020	Purchase of materials in connection with Schenley Park Repairs	1446, 1
3429	Purchase of miscellaneous equipment for various City Departments, \$50,000.00	1995, 2
3430	Purchase of miscellaneous equipment for various City Departments, \$50,000.00	1995, 2
2655	Purchase of Park Landscaping Equipment for Dept. of Public Works, \$28,000.00	924, 1
2048	Purchase of play equipment for Dept. of Public Works, \$15,760.00	268,
2914	Purchase of play equipment for the Dept. of Public Works, \$15,760.00, repealing No. 247/1993	1339, 1
1873	Purchase of Riot Helmets for the Bureau of Police, \$19,000.00	105,
3180	Purchase of Traffic Signals on Grant Street, Amending No. 1230/1992	1653, 1
3244	Purchase of VHF radios and base stations for refuse and recycling vehicles, \$70,000.00	1737, 1
1984	Purchase portable radios for the Bureau of Police, \$97,000.00	175,
2046	Purchase utility vehicle, Dept. of Parks & Recreation, \$15,627.00, Amending No. 1209/1992	267,
2064	Reconstruction of Arlington Avenue from East Carson Street to Warrington Avenue, Phase III	270,
2499	Reconstruction of Grant Street/Liberty Avenue-Phase 3, \$9,500.00.00	692,
2067	Reconstruction of the Bloomfield Bridge, Phase IV, amending No. 576/1983	271,
2068	Rehabilitation of E.H. Swindell Bridge, amending No. 597/1985	271,
3021	Rehabilitation of Greenfield Bridge, \$800,000.00	1446, 1
1880	Rehabilitation of Public Safety Facilities, \$236,000.00	106,
1881	Rehabilitation of Roofs of Various Buildings, \$200,000.00	106,
1876	Rehabilitation of the Wilksboro Avenue Footbridge, \$25,000.00	105,
1890	Rehabilitation of Various Landscape and Turfed Areas, \$200,000.00	107,
1898	Renovation and Repair of Ornamental Fences at various locations within the City, \$100,000.00	108,
2062	Renovation of City Council Chambers, \$1.00 to \$50,000.00	270,

CONTRACTS

BILL NO.	SUBJECT	PAGE
3545	Renovation of the Mt. Washington Ballfield, \$25,000.00	2136, 2225
2737	Renovations within the City-County Building, \$450,000.00	989, 1184
1869	Repair of equipment in connection with the City's Capital Construction Division, \$400,000.00	104, 225, 292
2725	Repair of Greenways at various location, \$25,000.00	987,1177,1306
2726	Repair of Greenways at various locations, \$50,000.00	987,1177,1306
1972	Repairs for the Dept. of Public Works, \$57,000.00	173, 296
2168	Repaving of various areas throughout the City of Pittsburgh, \$250,000.00	432, 600
2065	Replacement of Shadeland Avenue Bridge, amending No. 821/1991	270, 671
2500	Replacement of the South 12th Street Bridge Superstructure, \$400,000.00	692, 865
1971	Safety surface installation for Dept. of Public Works, \$340,000.00	173, 296
3022	Services in connection with Bridge & Structure Inspection Program, \$50,000.00	1446, 1591
1894	Street Tree Planting at Various Locations, \$100,000.00	107, 196
3544	Street Tree Planting at Various Locations, \$50,000.00	2136, 2224
2192	Street Tree Planting at various locations, \$125,000.00, Amending No. 126/1993	435, 615
2634	Swimming Pool Renovations limited Banksville, St. Clair, Fowler Northgate and Riverview, \$5,879.22	892, 945
1879	Various Renovations of Public Buildings and providing for the purchase of materials for said projects, \$150,000.00	106, 192
1974	Various repairs and emergencies for the Dept. of Public Works, \$70,000.00	173, 296
1839	Various repairs and renovations to City facilities	55, 146
3287	Various repairs for Dept. of Parks & Recreation, \$60,000.00	1848, 1930
3242	Vendors for various expenses in connection with Pittsburgh Advocacy Commission on Youth	1737, 2140
3447	Verification of individual parcel addresses in conjunction with the Pagis System, \$100,000.00	2016, 2138

COUNCIL ATTORNEY

2678	Council to retain its own attorney, \$11,000.00	928, 960
2764	City Council to retain its attorney to defend the Legislative process	1018, 1174
2937	Council to retain own attorney, legal advisor for realty located in Highland Park known as Highland Reservoir No. 1	1391, 1703
3121	City Council to retain its own attorney, \$5,000.00	1604, 1629
3318	Council to retain its own attorney for investigation into collection of City's parking tax revenues	1893, 1927
3457	Council to retain its own attorney to review the entire record case of Henry F. Jodzis v. City of Pittsburgh	2017, 2059

MISCELLANEOUS

BILL NO.	SUBJECT	PA
COUNCIL DISTRICT 6		
1838	Empowering President of Council to hire 2 as needed employees for 1993 Council District 6 allowance	
DEPOSITORIES		
3466	Designating Banks and Lending Institutions to act as Depositories for the 1994 in accordance to Title Two	2056, 2
EAST CARNEGIE COMMUNITY		
3057	Director of Dept. of Engineering and Construction undertake infrastructure analysis of the East Carnegie community, 28th Ward	1490, 1
EMERGENCY MEDICAL SERVICES		
2569	Director of the Dept. of Public Safety and City Solicitor to acquire the land necessary for construction of the Mossfield Street EMS Station	853,
ENCROACHMENTS		
1837	Abe Bernstein Clothing, Inc., 807 East Carson Street, one double-faced business identification sign in the right-of-way of East Carson Street, 17th Ward	54,
2493	Allegheny Housing Rehabilitation Corporation, 5604 Baum Boulevard, installation of a canopy over a portion of Peach Way, 3rd Ward	691,
3469	Anthony Dorsch, 1500 Fall Street, a 6" Sewer lateral on Fall Street, 26th Ward	2056, 2
2494	Apostolou Associates, 47 Bailey Avenue, an existing parking pad on right-of-way of Jennie Street, 19th Ward	691, 856,
3100	Boulevard Building, Inc., 401 Bingham Street, a concrete ramp in the right-of-way of Stevenson Street, 1st Ward	1601, 1
1805	Carl and Linda Gasper, 113 Carieann Drive, New Kensington, PA 15068, one doubled-faced business identification sign in the right-of-way of South 15th Street, 17th Ward	27,

ENCROACHMENTS

BILL NO.	SUBJECT	PAGE
2563	Carnegie Institute, 4400 Forbes Avenue, a transformer vault in a portion of the sidewalk area of General Robinson Street, 22nd Ward	852, 936
3285	Cupka's II, 2314 East Carson Street, one double-faced business identification sign, 16th Ward	1848, 1901
2703	Department of Water deed of easement, Riverside Associates, Inc., storm water sewer on land occupied by City's Water Treatment Plant	957, 1179
3265	Dianne L. Boo, 309 Glendon Street, a car port in the right-of-way of Glendon Street, 28th Ward	1795, 1901
2819	Douglass Forsyth, 310 Pinevue Drive, the license to construct two door overhangs in the right-of-way of Pius Street, 17th Ward	1215, 1307
2495	Edwin Miller, 37 Pawn View, concrete stoop in the right-of-way of South Twenty-Second Street, 16th Ward	691, 856
3148	Elizabeth Filipiak, 1427 Transverse Avenue, fence on a portion of The Boulevard, 29th Ward	1626, 1716
3147	Equitable Gas, 420 Boulevard of the Allies, a concrete slab and fence on portion of Rankin Avenue, 27th Ward	1626, 1716
3209	Integra Financial Corporation, a concrete handicap ramp in the right-of-way of Perrysville Avenue, 26th Ward	1699, 1812
2116	Joseph A. Meyers, 1711 Fairacres Avenue, 19th Ward, a garage at the rear of his home	331, 455
2182	Joseph Lauterbach, 1811 Brownsville Road, repair a wall located on property of the Grantee, 29th Ward	434, 605
2183	Joseph Lauterbach, Block 60L, Lot 250, erect a fence and attach the same to a wall on the property of the Grantee, 29th Ward	434, 606
2936	Katherine Murray, 62 Harlan Avenue, a fence on a portion of the right-of-way of Harlan Avenue, 26th Ward	1391, 1496
1976	Leo D. Sweeney, 6867 Reynolds Street, a fire escape over a portion of the sidewalk of Mary Street, 17th Ward	174, 292
2852	Marie Haines, 1134 Beechwood Boulevard, 15206, the license for a concrete wall and steps in the right-of-way of West Lyndhurst Drive, 14th Ward	1263, 1347
2761	Mary J.K. Burres, 112 Hackstown Street, the license to construct two wooden over-hang decks over her sidewalk in the right-of-way of Hackstown Street, 17th Ward	1018, 1234
3448	Mellon Bank, 1401 East Carson Street, one double-faced business identification sign in the right-of-way of East Carson Street, 17th Ward	2016, 2138

ENCROACHMENTS

BILL NO.	SUBJECT	PA
3099	Michael Grabowski, 960 Norwich Avenue, fence on a portion of Norwich Avenue and Queensboro Avenue, 19th Ward	1601, 1
3146	Port Authority of Allegheny County, a bus passenger shelter on a portion of Ohio River Boulevard, 27th Ward	1626, 1
2164	Richard A. Pagliari, 600 Amberson Avenue, a fence on a portion of Amberson Avenue and Ellsworth Avenue, 7th Ward	431,
3101	Scott and Maryann Goodrick, 1431 Dickson Street, a fence on a portion of Ancy Way, 27th Ward	1602, 1
2824	Shine on Emporium, 30 South 14th Street, the license to construct one double-faced business identification sign in the right-of-way of South 14th Street, 17th Ward	1216, 1
2165	Steve V. Slovak, Jr., 1016 Fritz Street, a portion of a house, wall and concrete patio in the right-of-way of Fritz Street, 17th Ward	431,
3356	University of Pittsburgh, 325 Forbes Avenue, a parking area in the right-of-way of Sutherland Drive, 4th Ward	1921,1997,2
1868	Walter Brahler, 1416 Beckham Street, a driveway in a portion of a paper street, Stokes Way, 27th Ward	
2496	William G. Haines, 151 Pius Street, two wooden porches over a portion of his sidewalk in right-of-way of Pius Street, 17th Ward	691,

FEASIBILITY STUDY

2181	Study of the feasibility of establishing a Community Police Housing Program	434
2938	Director of Engineering & Construction to prepare a feasibility report concerning Highland Reservoir No. 1 for Council	1391,1
3319	City Council to retain Certified Public Account Firm for the review of 1992 Parking Tax Revenues	1893,1

FEES

2892	Establishing schedule of fees in connection with Dept. of Parks & Recreation's Swimming Pools Program	1297,2
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FINANCE PROPOSALS

2700	URA to pursue a Tax Increment Financing Proposal for the Pittsburgh Technology Center	957,2
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HETH RUN

3505	Dept. of Public Works to sell reclaimed asphalt at Heth Run	2130,2
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HISTORIC STRUCTURE

BILL NO.	SUBJECT	PAGE
2973	Historic Structure for John Wesley A.M.E. Zion Church, 594 Herron Avenue, 5th Ward	1441,1717
1870	Historic Structure known as Engine House Number One and Thirty, 344 Boulevard of the Allies and 341 First Avenue	104, 321
2730	Historic District as the East Carson Street Historic District, 16th and 17th Ward	987, 1452

HOUSING AUTHORITY

2820	Director of Housing Authority to submit to Council a Board approved plan outlining proposed the use of an outlining 1994 CDBG funding	1215,1497, 1567
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INSURANCE PLAN

2792	Director of Finance to retain retiree health insurance for municipal employees	584,1299,1346
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INVESTIGATION

3317	Council to investigate alleged improprieties with regard to collection of City's parking tax	1893,
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JOB CREATION

2915	Economic Development Administration can provide substantial support for job creation, infrastructure and job development	1339, 1409
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JTPA

2589	Making legitimate expenditures necessary to implement the Safe Summer '93 and 1993 Pittsburgh Partnership/Summer Youth Employment Program, \$776,000.00	885, 935
2759	Pittsburgh Partnership Employment Program, \$80,000.00 for participant wages and fringe benefits	1017, 1218

LEASE

BILL NO.

SUBJECT

		PA
3559	Bloomfield-Garfield Corporation, parcel of land at 5504 Penn Avenue, term up to 5 years, beginning January 1, 1994 ending on December 31, 1998	2156, 2
2212	Columbia Gas of Pennsylvania, Inc., property on Bon Air Avenue, 18th Ward, annual license fee of \$100.00	482,
2213	Columbia Gas of Pennsylvania, Inc., property on Elsinburg Street, 18th Ward, annual license fee of \$100.00	483,
2211	Columbia Gas of Pennsylvania, Inc., property on fronting of South 18th Street, for 5 years, \$100.00 annual license fee	482,
2929	M. Berger Land Company, 5 year term at annual rental, \$7,300.00, purpose of parking vehicles	1390, 1
2930	Pittsburgh Brewing Company, 5 year term, \$60,000.00, the advertising rights and clock face of Three Taxing Bodies property	1390, 1
2022	Port Authority of Allegheny County, term of 41 years, \$1.00, 18th Ward known as Allentown Tank/Grandview Park Site	221,
3288	Property by School District of Pittsburgh in connection with the Chadwick Head Start Center, \$500.00 per month	1849, 1
1842	Property for a Community Recreation Center located at 200 Tabor Street, yearly rental cost \$9,300.00, Dept. of Parks & Recreation	55,
1843	Property Senior Citizen Facilities and/or Management Agreements for provision of center services, \$201,222.00	55, 118,
1844	Public Parking Authority for area underneath certain block bounded by William Penn Place, Oliver Avenue, Smithfield Street and Sixth Avenue, 2nd Ward, for term of 40 years	55, 114,
2721	Sixth Floor of 938 Penn Avenue from July 1, 1993, term of 24 months, \$3,591.50 per month to house classroom for SPOC	986, 1
2476	Spring Garden Neighborhood Council, Inc., building at 1013 Chestnut Street, 23rd Ward, term for 3 years at no rental cost	653,

LEASE - LICENSE

2543	Duquesne Light Company, installation and removal of overhead of electrical system on certain property, 12th Ward in connection with furnishing electric service to the City of Pittsburgh Police Firing Range	762,
2722	Three Rivers Charter Service for use of various docking facilities, \$5.00 per foot of vessel per location for first year	986, 1

PA INTERGOVERNMENTAL COOPERATION LAW

BILL NO.	SUBJECT	PAGE
3325	Participate in purchase off contracts for goods, entered into by the County of Allegheny	1894, 1968
PERMIT PARKING		
2859	Residential Parking Permit Program in Lawrenceville community, so as to amend the streets included in Area "A"	1264, 1497
3316	Residential Parking Permit Program Area "V" in the Shadyside community pursuant to Pittsburgh Code Chapter	1892, 1928
PERSONNEL & CIVIL SERVICE COMMISSION		
2057	Director of Personnel & Civil Service to advertise a 2nd Police Recruit Examination	269, 437
PETITIONS		
1799	Requesting public hearing before City Council for a full investigation of property located at 194 Plymouth Street	
1824	Requesting a public hearing before City Council on the issue of the Haverhill Street Landslide	17,
1908	Requesting public hearing before City Council on the issue of the Mayor's Annual Report on Military Spending and the impact on the local economy with regard to jobs and social services	30,
1989	Issue of burning hazardous waste and tires in cement kilns and the potential harm from the use of cement of cement made hazardous waste	109,
2576	Review the appropriateness of the Zoning Board of Adjustment Decision Approval of a "Group Residence" at 1722 Brownsville Road for 27 persons in a "R-2" District	176,
3026	Requesting Public Hearing on Bill Nos. 2937 & 2938 - enhancement of recreational use of Highland Reservoir No. 1	854
3128	Opposition to any development of property 235-237 South Millvale Avenue	1447, 1606,

PITTSBURGH PARTNERSHIP ACT

BILL NO.	SUBJECT	P.
3494	Administrative expenditures to implement the Pittsburgh Partnership, \$492,396.82	2128, 3

POST AGENDA MEETINGS

1786	Directing the Bureau of Cable Communications to cablecast any Post Agenda Meeting	15,
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PROPERTY ACT NO. 171 OF 1984

1820	Act No. 171 of 1984 (Second Class City Treasurer Sale and Collection Act")	30,
1846	Act No. 171 of 1984 (Second Class City Treasurer Sale and Collection Act")	56,
1865	Act No. 171 of 1984 (Second Class City Treasurer Sale and Collection Act")	104,
1866	Act No. 171 of 1984 (Second Class City Treasurer Sale and Collection Act")	104,
1954	Act No. 171 of 1984 (Second Class City Treasurer Sale and Collection Act")	171,
1965	Act No. 171 of 1984 (Second Class City Treasurer Sale and Collection Act")	172,
1966	Act No. 171 of 1984 ("Second Class City Treasurer Sale and Collection Act")	172,
2002	Act No. 171 of 1984 ("Second Class City Treasurer Sale and Collection Act")	218
2041	Act No. 171 of 1984 ("Second Class City Treasurer Sale and Collection Act")	267
2042	Act No. 171 of 1984 ("Second Class City Treasurer Sale and Collection Act")	267
2114	Act No. 171 of 1984 ("Second Class City Treasurer Sale and Collection Act")	331
2115	Act No. 171 of 1984 ("Second Class City Treasurer Sale and Collection Act")	331
2216	Act No. 171 of 1984 ("Second Class City Treasurer Sale and Collection Act")	483
2217	Act No. 171 of 1984 ("Second Class City Treasurer Sale and Collection Act")	483
2235	Act No. 171 of 1984, Item A of Resolution No. 154/1990	483
2235	Act No. 171 of 1984, Item A of Resolution No. 154/1990	

**PROPERTY
ACT NO. 171 OF 1984**

PAGE

BILL NO.	SUBJECT	
2468	Act No. 171 of 1984 (Second Class City Treasurer Sale and Collection Act)	652, 766
2469	Act No. 171 of 1984 (Second Class City Treasurer Sale and Collection Act)	652, 766
2521	Act No. 171 of 1984 (Second Class City Treasurer Sale and Collection Act)	758, 894
2690	Act No. 171 of 1984 (Second Class City Treasurer Sale and Collection Act)	955, 1020
2723	Act No. 171 of 1984 (Second Class City Treasurer Sale and Collection Act)	986, 1174
2793	Act No. 171 of 1984 (Second Class City Treasurer Sale and Collection Act)	1155, 1271
2794	Act No. 171 of 1984 (Second Class City Treasurer Sale and Collection Act)	1155, 1271
2795	Act No. 171 of 1984 (Second Class City Treasurer Sale and Collection Act)	1155, 1271
2848	Act No. 171 of 1984 (Second Class City Treasurer Sale and Collection Act)	1262, 1344
2850	Act No. 171 of 1984 (Second Class City Treasurer Sale and Collection Act)	1263, 1344
2932	Act No. 171 of 1984 (Second Class City Treasurer Sale and Collection Act)	1390, 1493
2933	Act No. 171 of 1984 (Second Class City Treasurer Sale and Collection Act)	1390, 1493
2934	Act No. 171 of 1984 (Second Class City Treasurer Sale and Collection Act)	1390, 1493
3137	Act No. 171 of 1984 (Second Class City Treasurer Sale and Collection Act)	1625, 1706
3138	Act No. 171 of 1984 (Second Class City Treasurer Sale and Collection Act)	1625, 1706
3139	Act No. 171 of 1984 (Second Class City Treasurer Sale and Collection Act)	1625
3140	Act No. 171 of 1984 (Second Class City Treasurer Sale and Collection Act)	1625, 1706
3141	Act No. 171 of 1984 (Second Class City Treasurer Sale and Collection Act)	1625, 1706
3142	Act No. 171 of 1984 (Second Class City Treasurer Sale and Collection Act)	1625, 1706
3143	Act No. 171 of 1984 (Second Class City Treasurer Sale and Collection Act)	1625, 1707

**PROPERTY
ACT NO. 171 OF 1984**

BILL NO.	SUBJECT	PA
3144	Act No. 171 of 1984 (Second Class City Treasurer Sale and Collection Act)	1625, 1
3145	Act No. 171 of 1984 (Second Class City Treasurer Sale and Collection Act)	1625, 1
3205	Act No. 171 of 1984 (Second Class City Treasurer Sale and Collection Act)	1698, 1
3206	Act No. 171 of 1984 (Second Class City Treasurer Sale and Collection Act)	1698, 1
3262	Act No. 171 of 1984 (Second Class City Treasurer Sale and Collection Act)	1794, 1897, 1
3306	Act No. 171 of 1984 (Second Class City Treasurer Sale and Collection Act)	1890, 1
3307	Act No. 171 of 1984 (Second Class City Treasurer Sale and Collection Act)	1891, 1
3308	Act No. 171 of 1984 (Second Class City Treasurer Sale and Collection Act)	1891, 1
3309	Act No. 171 of 1984 (Second Class City Treasurer Sale and Collection Act)	1891, 1
3350	Act No. 171 of 1984 (Second Class City Treasurer Sale and Collection Act)	1920, 1
3393	Act No. 171 of 1984 (Second Class City Treasurer Sale and Collection Act)	1941, 1
3419	Act No. 171 of 1984 (Second Class City Treasurer Sale and Collection Act)	1993, 1
3420	Act No. 171 of 1984 (Second Class City Treasurer Sale and Collection Act)	1993, 1
3445	Act No. 171 of 1984 (Second Class City Treasurer Sale and Collection Act)	2016, 1
3499	Act No. 171 of 1984 (Second Class City Treasurer Sale and Collection Act)	2129, 1
3500	Act No. 171 of 1984 (Second Class City Treasurer Sale and Collection Act)	2129, 1
3501	Act No. 171 of 1984 (Second Class City Treasurer Sale and Collection Act)	2129, 1
1819	Act No. 171 of 1984 (Second Class City Treasurer Sale and Collection Act)	29, 1

BILL NO.	PROPERTY SUBJECT	PAGE
ACCEPTANCE		
3211	Haverhill Street, 13th Ward, closing cost to be paid for by URA	1699, 1771
ACQUISITION		
3136	Rosemary E. Skovran, No. 6 Queen Street, 24th Ward, for \$15,000.00	1625, 1706
3315	USX Corporation, South 16th Street, Muriel Street, South 17th Street for sum of \$612,000.00	1892
CONVEYANCE		
3042	West Penn Motor Club, 313 Penn Circle South from Pittsburgh Parking Authority	1488, 1556
SALE		
3014	Sale of property known as Baywood Dwelling and/or King Estate and King's Folly, 1251 North Negley Avenue, 11th Ward	1445, 1506
PROPERTY AMENDMENTS		
1818	2106 Bedford Avenue, 5th Ward, Item A of Resolution No. 892/1992	29, 112
2040	200 Delmont Street, 18th Ward, Item F of Resolution No. 197/1992	266, 335
2214	5639 Rippey Street, 11th Ward, for the sum of \$5,000.00, Item C of Resolution No. 180/1993	483, 694
2215	513 Chautauqua Street, 25th Ward, for the sum of \$1,250.00, Item E of Resolution No. 1186/1992	483, 654
2519	814 LaSchall Street, 12th Ward, for the sum of \$750.00, Item K of Resolution No. 854/1992	758, 894
2520	6502 Butler Street, 10th Ward, for the sum of \$600.00, Item E of Resolution No. 53/1992	758, 894
2596	5338 Brown Way, 10th Ward for the sum of \$4,000.00, Item H of Resolution No. 133/1993	886, 959
2849	3221 Stafford Street, 20th Ward, for the sum of \$7,000.00, Item I of Resolution No. 434/1992	1262, 1344
3014	1251 North Negley Avenue, Block & Lot 82-G-50, 11th Ward	1445,
3261	2531 Elba Street, 5th Ward for the sum of \$1,500.00, Item A of Resolution No. 1186/1992	1794, 1896
3349	225 Walter Street, 18th Ward for the sum of \$7,500.00, Item G of Resolution No. 355/1992	1920, 1996
3497	3137 Ewart Drive, 5th Ward for the sum of \$25,000.00, Item B of Resolution No. 1039/1988	2129, 2206
3498	510-512 Wicklow Street, 10th Ward, for the sum of \$5,000.00, Item D of Resolution No. 998/1992	2129, 2206

PROPERTY

BILL NO.

SUBJECT

P.

PROPERTY LEGISLATION

1784

Urban Redevelopment Authority to include detailed information on all URA Sales of Property Legislation

18

PUBLIC SAFETY

2900

Director of Public Safety to allot \$12.00 per day to each uniformed Canine Police Officer whose duty it is to provide care and shelter to police canines

1299, 3

QUAKERTOWN GENERAL AUTHORITY

2148

Declaring that it is desirable for the health and safety of the people of Pittsburgh for the Quakertown General Authority to undertake project improvements to the facilities of St. Francis Medical Center

395,

URBAN REDEVELOPMENT AUTHORITY PROPERTY SALES

1769

Block 8-A Lot 14 901-903 Brighton Road, for the sum of \$1.00, 22nd Ward

12

1770

Block 8-A Lot 14, 901-903 Brighton Road, 22nd Ward, for the sum of \$350.00

12

1771

Industrial Land Reserve Fund, Council District Nos. 1,5 & 7

13

1772

Block 24-J Lots 268, 284 and 285, 23rd Ward, for the sum of \$1.00

13

1773

Block 24-J Lots 268, 284 and 285, 23rd Ward, for the sum of \$1,000.00, 1114 Spring Garden Avenue

13

1774

Residential Land Reserve Fund, for the sum of \$1.00, Council District Nos. 3,5 & 6

13,

1775

Properties in the City of Pittsburgh, Council District Nos. 3, 5 & 6

13,

1776

Residential Land Reserve Fund, for the sum of \$1.00, Council District No. 6

13

1777

Block 3-J Lot 70, 408 Arlington Avenue, 18th Ward, for the sum of \$1.00

13

1778

Block 3-J Lot 70, 408 Arlington Avenue, 18th Ward, for the sum of \$500.00

13

1779

Block 24-C Lot 278, 1301-1303 Spring Garden Avenue, 24th Ward, for the sum of \$1.00. Property is being acquired for the conveyance to St. Michael & All Angels Lutheran Church for parking lot

14

1780

Block 24-C Lot 278, 1301-1303 Spring Garden Avenue, 24th Ward, for the sum of \$500.00

14

URBAN REDEVELOPMENT AUTHORITY
PROPERTY SALES

BILL NO.	SUBJECT	PAGE
1681	Block 21-P Lot 100, 20th Ward, Residential Land Reserve Fund	32
1682	Block 21-P Lot 100, 20th Ward	33
1685	Sale of properties in the City of Pittsburgh	33
1224	Block 50-K, Lot 309, 10th Ward, Residential Rehabilitation	33
1926	Block 83-A, Lots 264 and 266, 5456 Black Street and 5454 Black Street, for \$1.00	138, 231
1927	Block 83-A Lots 264 and 266 5456 Black Street & 5454 Black Street, 11th Ward, \$1,000.00	138, 231
1928	Block 50-L Lot 334, 5151 Penn Avenue, for \$1.00	138, 231
1929	Block 50-L Lot 334, 5151 Penn Avenue, 10th Ward, \$5,000.00	138, 232
1930	Block 26-H Lot 85, 4616 Juniper Street, \$1.00	139, 232
1931	Block 26-H Lot 85, 4616 Juniper Street, 8th Ward, \$500.00	139, 232
1932	Block 83-E Lots 80 and 82, 5478 Black Street and 5476 Black Street	139, 232
1933	Block 83-E Lot 80 and 82 5476 and 5478 Black Street, 11th Ward, \$1,100.00	139, 232
1934	Lot 48S-231-1, 3407 Butler Street, Doughboy Square Commercial Development Project	139, 232
1935	Fair Market Value, Residential Land Reserve Fund, Vacant Property Review Committee	140, 233
1936	Sale of properties in the City, Council District 3 and 9	140, 233
2090	Fair Market Value under the Residential Land Reserve Fund, Vacant Property Review Committee	313, 411
2091	Sale of properties in Council District 6	313, 411
2092	Fair Market Value under Residential Land Reserve Fund, Vacant Property Review Committee	313, 411
2093	Sale of properties in Council Districts 1, 3, 5, 6 & 9	313, 411
2122	Residential Land Reserve Fund, 5th Ward, Council District 6	332, 457
2123	Block 11-F, Lot 101, 1931 Fifth Avenue, 3rd Ward	332, 457
2124	Block 11-F Lot 101, 1931 Fifth Avenue, 3rd Ward	332, 458
2125	Parcel 2, Subdistrict 1-West, 4th Ward	332, 458, 512
2169	Residential Land Reserve Fund, blighted by Vacant Property Review Committee	432, 603

URBAN REDEVELOPMENT AUTHORITY
PROPERTY SALES

BILL NO.	SUBJECT	P.
2170	Block and Lot 83-A-48 in the Deed Registry Office, Council District No. 7	432,
2171	Block and Lot 83-A-48, 626 N Aiken Avenue, \$3,000.00, 11th Ward	432,
2172	Various properties for the sum of \$1.00	432,
2173	Parcels 127, 128B and 129, 4100 Bigelow Boulevard, for the sum of \$37,500.00	432,
2231	Industrial Land Reserve Fund, Council District 6	432,
2530	Block 173-C Lots 11 & 12, for the sum of \$1,800.00, 12th Ward, 1656-1658 Lincoln Avenue	485,
2531	Vacant Property Review Committee, Residential Land Reserve Fund, 12th Ward, Council District 9	760,
2532	Industrial Land Reserve Fund, for the sum of \$4,000.00, 2700 Centre Avenue, Council District 6	760,
2533	Block 2-H Lot 285, Crawford-Square housing site, for the sum of \$1.00, Council district 6	760,
2534	Block and Lot 12-E-159, 1710 Fox Way, 17th Ward for the sum of \$200.00	761,
2535	Block and Lot 12-E-159, 1710 Fox Way, 17th Ward	761,
2536	Block 9 R Lot 155, 1519 Bedford Avenue, 3rd Ward	761,
2537	Block 9 R Lot 155, 1519 Bedford Avenue, 3rd Ward, for the sum of \$400.00	761,
2659	Parcels 5 and 6, for \$1.00 per square foot, 25th Ward, 910 Beaver Grade Road	761,
2660	Redevelopment Modification No. 1, Redevelopment Area No. 49, 22nd Ward	925,
2661	Parcel 3 for \$1.00, Redevelopment Area No. 49, 1227 Federal Street, Eugene Thomas	
2662	Parcel 8 for \$50,000.00, 28th Ward, 500 Wood Street, Dan Summers, Rob Howard, Don Carlson, Timothy Barry and David Fasculo	925,
2663	Parcel 57 for \$2,000.00, 5th Ward, 166-170 Devilliers Street	925,
2664	Residential Land Reserve Fund, Vacant Property Review Committee	926,
2665	Sale of properties in Council Districts 2, 3 and 6	926,
2666	Residential Land Reserve Fund, Vacant Property Review Committee, Council District No. 7	926,
2667	Block and Lot 26-C-19 at 3813 Melwood Avenue, \$375.00	926, 926,

URBAN REDEVELOPMENT AUTHORITY
PROPERTY SALES

BILL NO.	SUBJECT	PAGE
2668	Block and Lot 125-H-284A at N. Murtland Street, Shiloh Baptist Church, Council District No. 9	926, 1025
2669	Block and Lot 125-H-284A at N. Murtland Street, 12th Ward, \$500.00	926, 1025
2670	Block and Lot 50-R-7, 5201 Penn Avenue, Council District No. 7	927, 1025
2671	Block 125G Lot 13, 6722 Kelly Street, \$1.00, Council District No. 9	927, 1028
2672	Block 125-G Lot 13, 6722 Kelly Street, \$500.00, 12th Ward	927, 1028
2673	Block 14-B Lot 323, 1128 Arlington Avenue, \$1.00, Council District 3	927, 1178
2674	Block 14B Lot 281, 840 Carnival Way, Council District No. 3	927, 1178
2675	Block and Lot 14-B-281, 840 Carnival Way, \$150.00, 18th Ward	928, 1178
2701	Parcel 4 Subdistrict 1 - West, Technology Drive, \$1,000,000.00	957, 1029
2771	Block 48S Lot 258 and Block 49N Lots 114 and 117, \$1,000.00, 3435, 3447 and 3439 Penn Avenue	1019, 1236
2772	Block 174L Lot 74, 13th Ward, 7400 Frankstown Avenue, \$1,000.00	1019, 1236
2821	424 Bailey Avenue and 428 Kambach Way, 18th Ward, Vacant Property Review Committee	1215, 1310
2822	424 Bailey Avenue and 428 Kambach Way, 18th Ward, Vacant Property Review Committee	1216, 1310
2860	Sale of properties in 21st Ward, Redevelopment Area No. 27	1264, 1362
2861	Block 50-L Lots 184 & 187, 206 N. Evaline Street, 10th Ward	1265, 1362
2862	Block 50-L Lots 184 & 187, 206 N. Evaline Street, 10th Ward	1265, 1363
2863	Block and Lot 42-D-157, Industrial Land Reserve Fund	1265, 1363
2864	Block 42-D Lot 157, 20th Ward, 423 Sloan Street & 3215 W. Carson Street, 20th Ward for the sum \$300.00	1265, 1363
2865	Vacant Property Review Committee and the Planning Commission	1265, 1364
2866	Vacant Property Review Committee & Planning Commission, Districts 2, 5, 7 & 9	1266, 1364

URBAN REDEVELOPMENT AUTHORITY
PROPERTY SALES

BILL NO.	SUBJECT	PA
3008	Block 48S Lot 202, 6th Ward Industrial Land Reserve Fund	1445, 1
3009	Block & Lot 25-M-26, 6th Ward, Residential Land Reserve Fund-VPRC	1445, 1
3010	Block & Lot 25-M-26, 6th Ward, \$450.00 Residential Land Reserve Fund	1445, 1
3011	Parcels 60 & 122, 21st Ward for \$1,000.00 Redevelopment No. 27	1445, 1
3012	10th, 13th, 15th, 21st and 25th Wards	1445, 1
3013	3rd, 8th, 13th, 15th, 21st, 23rd and 25th Wards	1445, 1
3015	Block & Lot No. 23-K-380, 22nd Ward, for \$150.00 Residential Land Reserve Fund	1445, 1
3049	Block 4-C Lot 94 and Block 4-G Lots 249, 254 and 256, on Vinecliff Street, 18th ward	1
3107	Block 10-N Lot 14, for \$1.00, 9 Trent Street, 5th Ward	1602, 1
3108	Residential Land Reserve Fund, Vacant Property Review Committee	1603, 1
3109	Industrial Land Reserve Fund, for \$1.00	1603, 1
3110	Block 22-B Lot 174, for \$1.00, 21st Ward, Residential Land Reserve Fund	1603, 1
3111	Block 3-R Lot 83, for \$600.00, 17th Ward	1603, 1
3112	5114-5116 Gloster Street, Council District 5	1603, 1
3113	Block 22-B Lot 174, for \$350.00, 21st Ward	1603, 1
3165	Sale of properties in the City of Pittsburgh (Rehabilitation)	1651, 1
3166	Sale of properties in the City of Pittsburgh (Rehabilitation)	1651, 1
3167	Sale of properties in the City of Pittsburgh (Rehabilitation)	1651, 1
3168	Sale of properties in the City of Pittsburgh (Rehabilitation)	1651, 1
3237	Block 25S Part of Lot 112 and Lots 146 through 158, Western Restoration Project, \$75,000.00	1737, 1
3238	Block and Lot 14-A-333, Industrial Land Reserve Fund	1737, 1
3239	2nd and 18th Wards blighted by VPRC	1737, 1
3240	Properties in 2nd & 18th Wards	1737, 1
3315	Block and Lot 12-A-130 and 12-E-120, for \$612,000.00, 17th Ward	1892, 1
3361	Block 15 L Lot 257, 18th Ward for \$1,000.00	1922, 2001, 1
3362	Block 28-M Lot 80, for \$1.00, 3601 and 3603 Dawson Street	1922, 1
3363	Block 28-M Lot 80, 4th Ward, for the sum of \$350.00	1922, 1
3364	Block and Lot 11-A-130, for Fair Market Value, 3rd Ward	1923, 1
3365	Block 174-N Lot 321A 13th Ward	1923, 1
3366	Various property, 13th Ward	1923, 1
3367	Block 175-G Lot 69 for the sum of \$1.00, 13th Ward	1923, 1

URBAN REDEVELOPMENT AUTHORITY
PROPERTY SALES

BILL NO.	SUBJECT	PAGE
3368	Block 175-G Lot 69, for the sum of \$1,000.00, 13th Ward	1923, 2002
3369	Various publicly-owned properties, 6th Ward for the sum of \$1.00	1924, 2002
3370	Block 25-G Lots 18, 18A, 18B, 18C, 18D, 18E and 18F, 6th Ward, for \$10,150.00	1924, 2002
3371	Block 88-H Lots 29, 31 and 32 for the sum of \$1.00, 14th Ward	1924, 2002
3372	Block 88-H Lots 29, 31 and 32, 14th Ward	1924, 2003
3373	Residential Land Reserve Fund, 24th Ward for the sum of \$1.00	1924, 2003
3421	Block and Lot 174-B-246, for \$4,500.00, 13th Ward	1993, 2098
3422	Block and Lot 174-B-246, 805 North Homewood Avenue, 13th Ward, for \$1.00	1993, 2098
3423	Block and Lot 22-L-163, 21st Ward for \$22,500.00	1994, 2098
3424	Block and Lot 22-L-163, 1319 Allegheny Avenue, 21st Ward for \$1.00	1994, 2098
3471	Block and Lot 50-d-300 and 81-S-188, \$286,000.00	2057, 2139
3510	Block 55-H Lot 269, for \$1.00, 637 Hazelwood Avenue, 15th Ward	2131, 2216
3511	Block 55-H Lot 269, for \$350.00, 15th Ward, 637 Hazelwood Avenue	2131, 2216
3512	Fair Market Value, Vacant Property Review Committee	2131, 2216
3513	Sale of properties, Council District No. 6	2131, 2217
3514	Block 23 K Lot 329, Butterfield Way, Fair Market Value	2131, 2217
3515	Sale of Land for sideyard, Council District 6	2131, 2217
3516	Block 12-P Lots 92, 96, 106 and Part of Lot 152, for sum of \$1.00, South 18th and South 21st Street	2132, 2217
3517	Block 12-P Lots 92, 96 106 and Part of Lot 152, for \$40,500.00	2132, 2217
3518	Block and Lot 175-H-180, 7942 Tacoma Street, 13th Ward for \$1.00	2132, 2218
3519	Block and Lot 174-B-131, 7250 Upland Street, 13th Ward for \$1.00	2132, 2218
3520	Block 174-R Lot 216, 624 Brushton Avenue, 13th Ward, for \$1.00	2132, 2218
3521	Block 174-R Lot 216, 624 Brushton Avenue, 13th Ward, for \$750.00	2133, 2218

READ AND ADOPTED RESOLUTIONS

ALL MEMBERS

BILL NO.	SUBJECT
2245	Revitalization of the Mon Valley Commission region of Allegheny County
2464	Joining with 14th Ward in recognizing William J. Coyne in extending appreciation for many years of public service
2584	Proclaiming May 16, 1993 as "Seniors With Spirit Day" in the City
2585	Proclaiming May 12 through May 16, 1993 as "Be A Sport Days" in the City
2835	Declaring Tuesday, June 29, 1993 as "Kim Marie Shuttleworth Day" in the City
2836	Declaring Tuesday, June 29, 1993 as "David McGee Day" in the City
2908	Declaring July 13th to July 20th, 1993 as "Ancient Order of Hibernians Week" in the City
2928	Declaring July 18th through July 25, 1993 as "PITTSBURGH VINTAGE GRAND PRIX RACE WEEK" in the City
2959	Declaring the month of July as "The Korean War Cease Fire Month" in the City
2962	Proclaiming Monday, July 26, 1993 as "Mayor Roald Babun Day" in the City
3034	Congratulating the United States Coast Guard, the 1993 "Riverperson of the Year", Eugene F. Connelly
3075	Proclaiming August 12, 1993 to be "David Hutz Day" in the City
3253	Declaring Saturday October 9 and Sunday, October 10, 1993 as Sons of Columbus Days in the City
3254	Recognizing all those honored at the 1993 Columbus Day Parade and Festival
3281	Declaring Saturday October 16, 1993 as Afro-American Day in the City
3295	Individuals of Dept. of Engineering & Construction for contributions to "design excellence"
3304	Declaring Tuesday, October 19, 1993 as "Paint Your Heart Out Pittsburgh Day 1993" in the City
3387	Proclaiming the month of November, 1993 as "SIDS Awareness Month" in the City
3440	Giving recognition to the United States Postal Employees
3130	Proclaiming August 29, 1993 as "Negro League Baseball Day" in the City

READ AND ADOPTED RESOLUTIONS

BILL NO.	SUBJECT	PAGE
<u>DAN COHEN</u>		
1800	Declaring Tuesday, January 12, 1993 to be "Helen Schlenke Day" in the City	8
1853	Urging the U.S. Congress and the Commonwealth of PA to adequately fund the Low Income Home Energy Assistance Program	49
1949	Declaring Tuesday, February 9, 1993 to be "Barbara K. Shore Day" in the City	130
1994	Proclaiming Tuesday, February 16, 1993 to be "Steel Industry Heritage Corporation Day" in the City	157
2077	Declaring Tuesday, March 2, 1993 to be "Yeshiva Schools Day" in Pittsburgh	257
2200	Declaring Tuesday, March 30, 1993 as "Pittsburgh Blind Association Day" in the City	419
2201	Declaring Thursday, April 1, 1993 as "Preschool Development Programs Day" in the City	422
2244	Declaring Thursday, April 1, 1993 as "Celeste Behrend Day" in the City	479
2460	Declaring April 13, 1993 to be "Jennifer Papale, Jannifer Jakell and Stephanie Maietta Day" in the City	555
2463	Proclaiming April 18 through April 25, 1993 as "Holocaust Remembrance Week" in the City	561
2485	Proclaiming Sunday, May 9, 1993 to be "Race For The Cure Day" in the City	639
2487	Declaring Sunday, April 25, 1993 as "Pittsburgh March Committee Day" in the City	642
2488	Proclaiming the week of April 18-24, 1993 as "African-American Cancer Awareness Week" in the City	645
2512	Proclaiming the week of April 24 - May 1, 1993 to be "Victims Rights Week" in the City	681
2513	Proclaiming May 7, 1993 as "Barrier Awareness and Forging A New Freedom Day" in the City	682
2554	Proclaiming May 4, 1993 to be United Cerebral Palsy Association of Pittsburgh Day in the City	751
2581	Declaring May 16, 1993 to be Jewish Education Institute of Pittsburgh Day in the City	839
2582	Proclaiming May 9-15, 1993 as "National Preservation Week" in the City	841
2646	Declaring May 19, 1993 to be Hillel Academy Day in the City	877
2686	Proclaiming May 18, 1993 to be "J.E. Paisley and William Brierton Day" in the City	917
2748	Declaring Sunday, June 13, 1993 to be The Whale's Tale Day in the City	974
2956	Encouraging property owners on the waterfront to post Water Safety Signs	1380
3074	Declaring August 22 through August 26, 1993 as Maccabi Youth Games Days" in the City	1482

READ AND ADOPTED RESOLUTIONS

BILL NO.	SUBJECT	PA
	<u>DAN COHEN</u>	
3075	Proclaiming August 12, 1993 to be "David Hutz Day" in the City	1
3160	Wishing Pittsburgh Pro Sports Inc., much success	1
3196	Declaring Wednesday, September 22, 1993 to be Linden Elementary School Day" in the City	1
3223	Declaring Sunday, October 3, 1993 as "Shadyside Action Coalition's 16th annual House Tour Day" in the City	1
3224	Declaring Friday, September 24, 1993 as "Children's Hospital Sickle Cell Program Day" in the City	1
3251	Declaring Tuesday, October 5, 1993 as "Interfaith Volunteer Caregivers Day" in the City	1
3280	Proclaiming Thursday, October 14, 1993 to be "National Council of Jewish Women and Ruth Lieber Day" in the City	1
3296	Declaring Saturday, October 23, 1993 as "Project Bundle-Up Day" in the City	1
3337	Declaring Tuesday, October 26, 1993 as Dream Foundation of Pittsburgh Day in the City	1
3338	Proclaiming Thursday, October 28, 1993 as EASTSIDE ALLIANCE DAY in the City	1
3339	Declaring the Pittsburgh Athletic Association an organization of the Pennsylvania Small Games of Chance Act	1
3385	Declaring October 30, 1993 as "Bishop and Evangelist Throe Day" in the City	1
3407	Proclaiming November 14, 1993 as "Jewish Sports Hall of Fame Day" in the City	1
3435	Declaring Wednesday, November 17, 1993 to be "Cancer Support Network Day" in the City	1
3436	Proclaiming the month of November 1993 as "Alzheimer's Disease Awareness Month" in the City	1
3437	Welcoming this Israeli delegation to the City	1
3480	Congratulating James C. Roddey for many years of outstanding service to the Pittsburgh community	1
3481	Commending the Women's Center and Shelter of Greater Pittsburgh for service to the Pittsburgh community	1
3482	Commending William Block for his distinguished career and service to the Pittsburgh community	1

READ AND ADOPTED RESOLUTIONS

BILL NO.	SUBJECT	PAGE
	<u>DUANE A. DARKINS</u>	
1801	Joining with Greater Faith Tabernacle Church of God In Christ in celebrating Dr. Martin Luther King, Jr.'s 64th Birthday	10
1913	Congratulating brothers and sisters William H. Trower, Sara Trower-Martin, John Trower and Cecelia T. Epperson for keeping alive family tradition	101
1914	Acknowledging the Dorsey family for its investment in the City of Pittsburgh	102
1950	Acknowledging Lee's Floral Shoppe as a business dedicated to meet the need of others in a family tradition	130
1951	Complimenting Gaines Funeral Home for responding to the needs of Pittsburghers for 74 years	131
1995	Recognizing I.N. Rendall Harper, Jr. as an African American entrepreneur who combined his knowledge and skills and became a pioneer in industry that changed the course of information gathering and storage	159
1996	Applauding the NAACP's 16 year President Harvey Adams, Jr. and giving recognition to the 1991-92 Executive Board Members	160
1997	Commending the Black Women's Political Crusade	163
1998	Saluting Delta Sigma Theta Sorority, Inc. on its 80th Anniversary	164
2030	Recognizing the 1993 Renaissance Too Publication Trailblazer Awardees for their exemplary service to the African American community	208
2031	Congratulating Pryor Furs, Inc. for 45 years of building a business that has reached local and national prominence	209
2032	Extending to the Pennsylvania Black Conference On Higher Education, Inc. best wishes	211
2074	Recognizing Eddie's Restaurant as a Historical Landmark and Pittsburgh Tradition	256
2075	Applauding Rodman Street Missionary Baptist Church's Music Ministry and Pastor Reverend Delano R. Paige	256
2076	Recognizing Thomas E. Adams as a man with gusto	257
2079	Calling upon Lemington Center to treat it's employees in caring fashion with District 1199P, Service Employees International Union, AFL-CIO	260

READ AND ADOPTED RESOLUTIONS

BILL NO.

SUBJECT

PA

DUANE A. DARKINS

2080	Calls upon Mercy Health Center to bargain around the clock in good faith with District 1199P, Service Employees International Union, AFL-CIO
2103	Congratulating Cyrene Chapter #9 Order of the Eastern Star for exalting a man who makes a difference in the lives of many
2104	Declaring Sunday, March 7, 1993 as "Reverend Timothy Williams Day" in the City
2134	Extending well wishes to the Honorable Judge James Warren Watson
2154	Recognizing Coach Joe Bellante and Assistant Coach John Bey for unselfishly empowering the youth with positive choices
2155	Declaring March 25, 1993 as "Negro Educational Emergency Drive Day" in the City
2156	Declaring 1993 as the "Year of the Black Woman" in the City
2157	Applauding Cathy Milton for service over two decades to the Greater Pittsburgh Community
2202	Commending Denise Daniels Elko for heroic courage and appreciation for protecting children
2488	Proclaiming the week of April 18-24, 1993 as "African-American Cancer Awareness Week" in the City
2555	Proclaiming Sunday, May 2, 1993 as "Will Buzz Robinson and Jazz at the Hill House Day" in the City
2556	Saluting Francis J. Samuels for his devotion to his craft and wishing him further success as he delivers the word of God through music
2587	Recognizing Western Regional Office of the Pennsylvania State Civil Service Commission Chairperson, Ethel S. Barnett for her commitment to maintaining an agency devoted to professional standards and policies
2647	Recognizing the the winners of the Miss Black Teenage Beauty and Talent Pageant
2648	Recognizing the accomplishments of winner Andre West as well as the participants of the Mr. African American Pageant
2713	Welcoming the National Board of Directors of the American Association of Blacks in Energy to the City
2749	Congratulating The Peabody Boys Track Team for their championship season

READ AND ADOPTED RESOLUTIONS

BILL NO.	SUBJECT	PAGE
	<u>DUANE A. DARKINS</u>	
2750	Giving recognition to Jeannette Davis as a supporter of youth, church women and community service	977
2780	Declaring June 16, 1993 as The Day of The African Child throughout the City	1010
2781	Giving recognition to J.U.G.S, Inc. supporters of the community	1011
2782	Declaring Saturday, June 18, 1993 as Dr. Theodore R. Vasser, Jr. Day in the City	1014
2783	Giving recognition to Bertha Petite for her unselfish contributions to making Pittsburgh America's most livable city	1011
2813	Declaring June 26, 1993 Sister Alma Robinson Day in the City	1149
2814	Declaring June 26, 1993 as Elder Oscar Timothy Tillman Day in the City	1150
2838	Urging the President and the U.S. Congress to remove the statue of Albert Pike, Grand Dragon of the Ku Klux Klan	1213
2875	Declaring Tuesday, July 6, 1993 as "Bishop Wade Jones Day" in the City	1255
2876	Declaring July 6, 1993 as "Pauline Dean Day" in the City	1256
2927	Proclaiming July 19 - July 25, 1993 as "Jobs, Justice and Peace Week" in the City	1331
2957	Declaring July 31, 1993 as "Nate Smith Day" in the City	1381
2961	Proclaiming July 31, 1993 as "Spann Family Day" in the City	1389
3076	Declaring July 7, 1993 as "Wallie and Annie M. Clark Day" in the City	1483
3130	Proclaiming August 29, 1993 as "Negro League Baseball Day" in the City	1597
3131	Proclaiming September 22, 1993 as "Kinglsey Association Reclaiming Our Youth Day" in the City	1598
3132	Declaring September 1, 1993 as "Henry and Mary L. Stone Day" in the City	1598
3133	Proclaiming the Saturday before Labor Day of each year be named "New Name of the Game Golf Foundation Scholarship Fundraiser Tournament Day" in the City	1599
3160	Wishing Pittsburgh Pro Sports Inc., much success	1619

READ AND ADOPTED RESOLUTIONS

BILL NO.	SUBJECT	PA
<u>DUANE A. DARKINS</u>		
3200	Declaring September 17, 1993 as "WCXJ I Need A Man Night" in the City	1
3224	Declaring Friday, September 24, 1993 as "Children's Hospital Sickle Cell Program Day" in the City	1
3252	Being mindful that WQED 13's "Black Horizon continues forward	1
3281	Declaring Saturday October 16, 1993 as Afro-American Day in the City	1
3297	Declaring Tuesday, October 19, 1993 as "Anika Thomas Day" in the City	1
3334	Recognizing the players of the Saints Athletic program for overcoming different cultures and races	1
3335	Recognizing the founding members of the Guardians	1
3338	Proclaiming Thursday, October 28, 1993 as EASTSIDE ALLIANCE DAY in the City	1
3385	Declaring October 30, 1993 as "Bishop and Evangelist Thrope Day" in the City	1
3558	Declaring Tuesday, December 7, 1993 as Pittsburgh Hill District Wildcats Mighty Mites Day in the City	2
3573	Commending Westinghouse High School Bulldog Football Team on their 1993 Championship Season	2
3574	Commending the Champion Association, Inc. for their successful undertakings	2

JIM FERLO

1999	Commending all Department of Public Safety personnel and the residents and merchants of the community of Bloomfield	
2078	Proclaiming Sunday, February 28, 1993 as "Ralph P. Brooks, Jr. Day" in the City	
2079	Calling upon Lemington Center to treat it's employees in caring fashion with District 1199P, Service Employees International Union, AFL-CIO	
2080	Calls upon Mercy Health Center to bargain around the clock in good faith with District 1199P, Service Employees International Union, AFL-CIO	

READ AND ADOPTED RESOLUTIONS

BILL NO.	SUBJECT	PAGE
	<u>JIM FERLO</u>	
2135	Declaring the Pittsburgh Ballet Theatre Guild a civic organization within the context of the Pennsylvania Small Games of Chance Legislation	326
2203	Proclaiming Saturday, April 3, 1993 as "Pat Winters Day" in the City	424
2244	Declaring Thursday, April 1, 1993 as "Celeste Behrend Day" in the City	479
2484	Declaring the week of April 12-19, 1993 as "Take Back The Night Week" in the City	637
2487	Declaring Sunday, April 25, 1993 as "Pittsburgh March Committee Day" in the City	642
2489	Declaring Tuesday, April 20, 1993 as "Reinhold Ice Cream Day" in the City	646
2490	Declaring the week of April 18 through April 24, 1993 "Courage To Come Back Week" in the City	648
2518	Recognizing Duquesne Light Company and the General Public Utilities having cooperatively initiated a power sale	736
2687	Declaring the month of May, 1993 as "Mediation Month" in the City	919
2688	Declaring the week of July 11-19, 1993 to be "United States - Cuba Friendship Week" in the City	921
2714	Recognizing the Lawrenceville Boys and Girls Club, Pressure Chemical Company and Melissa A. Title for dedication to the Community	950
2715	Declaring the Ursuline Center, Inc. to be a civic organization within the Pennsylvania Small Games of Chance Act	951
2751	Extending appreciation to School Board President Barbara Burns and colleagues for their effort to make McCleary School as one of the best schools in our City	978
2831	Honoring Jim Wudarczyk and Kenneth Fulton, co-recipients of the Arsenal Board of Trade 1993 Community Service, for their dedication to the Lawrenceville Community	1199
2839	Stating that Fisher Scientific violates acceptable labor relations standards	1200
2877	Recognizing the Mon Valley Unemployed Committee for their hard work and dedication which removed welfare liens from the homes of 110,000 Pennsylvanians	1257

READ AND ADOPTED RESOLUTIONS

BILL NO.

SUBJECT

PA

JIM FERLO

- | | |
|------|--|
| 2907 | Officially supporting the efforts of Local 13550 of the Communication Workers of America and AT & T Officials to normalize relations with Cuba |
| 2909 | Declaring the Orpheus Singing Society to be a civic organization within the context of Pennsylvania Small Games of Chance Act |
| 2910 | Redouble efforts to communicate to Fisher that the situation with the 77 locked out workers can be resolved |
| 2927 | Proclaiming July 19 - July 25, 1993 as "Jobs, Justice and Peace Week" in the City |
| 2958 | Declaring Tuesday, July 27, 1993 as "Copco Papers Inc. Day" in the City |
| 3033 | Declaring Tuesday, August 3, 1993 as "Benjamin Mazzoccoli Day" in the City |
| 3079 | Declaring Friday, September 17, 1993 as "Marco DePaulo Day" in the City |
| 3224 | Declaring Friday, September 24, 1993 as "Children's Hospital Sickle Cell Program Day" in the City |
| 3298 | Declaring October 17-23, 1993 as "Fair Trade Week" in the City |
| 3299 | Declaring Saturday, October 23, 1993 as "Donald C. Jefferson Day" in the City |
| 3337 | Declaring Tuesday, October 26, 1993 as Dream Foundation of Pittsburgh Day in the City |
| 3338 | Proclaiming Thursday, October 28, 1993 as EASTSIDE ALLIANCE DAY in the City |
| 3340 | Declaring the week of October 24, 1993 as Teacher/Artist Week in the City |
| 3386 | Declaring Bloomfield-Garfield Corporation to be an organization within the Pennsylvania Small Games of Chance Act |
| 3554 | Sending copies of the Resolution to State Officials regarding KBL |

MICHELLE MADOFF

- | | |
|------|---|
| 2461 | Recognizing Bill Knight, John Stokes, Travis Wieckowski and Jill Ziolkowski for their outstanding contributions of leadership |
| 2463 | Proclaiming April 18 through April 25, 1993 as "Holocaust Remembrance Week" in the City |
| 2583 | Proclaiming the week of May 16 through May 22, 1993 as "AIDS Awareness Week" in the City |
| 3437 | Welcoming this Israeli delegation to the City |
| 3440 | Giving recognition to the United States Postal Employees |

READ AND ADOPTED RESOLUTIONS

BILL NO.	SUBJECT	PAGE
	<u>BOB O'CONNOR</u>	
1952	Proclaiming February 9, 1993 as "Reverend Louwanda Harris Day" in the City	133
2077	Declaring Tuesday, March 2, 1993 to be "Yeshiva Schools Day" in Pittsburgh	257
2081	Congratulating Claudia Davis on the celebration of her 92nd birthday	263
2105	Proclaiming March 14, 1993 as "DARE-TO-SHARE DAY" in the City	308
2153	Proclaiming March 18, 1993 through April 2, 1993 as "Greek Week" in the City	385
2158	Recognizing the Allderdice Girls Basketball Team for the 1993 City League Championship	392
2204	Proclaiming March 1993 as "Eye Donor Month" in the City	425
2205	Declaring that Sunday, March 28, 1993 to be "John and Susie Sciarretti Day" in the City	426
2463	Proclaiming April 18 through April 25, 1993 as "Holocaust Remembrance Week" in the City	561
2490	Declaring the week of April 18 through April 24, 1993 "Courage To Come Back Week" in the City	648
2514	Declaring April 27, 1993 as "Hazelwood Towers Day" in the City	684
2557	Declaring the week of May 10 through May 14, 1993 as "Citiparks Senior Center Week" in the City	755
2558	Proclaiming May 1, 1993 as "Patricia Wilde Day" in the City	757
2581	Declaring May 16, 1993 to be Jewish Education Institute of Pittsburgh Day in the City	840
2646	Declaring May 19, 1993 to be Hillel Academy Day in the City	877
2784	Proclaiming June 14 through June 20, 1993, "Zoo Week" in the City	1012
2928	Declaring July 18th through July 25, 1993 as "PITTSBURGH VINTAGE GRAND PRIX RACE WEEK" in the City	1335
3035	Proclaiming Sunday, August 1, 1993, as "Peace Run America Day" in the City	1434
3074	Declaring August 22 through August 26, 1993 as Maccabi Youth Games Days" in the City	1481
3081	Proclaiming Saturday, August 14, 1993 as "Pittsburgh Service Day" in the City	1533

READ AND ADOPTED RESOLUTIONS

BILL NO.

SUBJECT

PA

BOB O'CONNOR

3135	Recognizing The Irish Centre of Pittsburgh, Inc. as a Civic and Service Association	1
3158	Declaring August 29, 1993 as "William Block, Sr. Day" in the City	1
3160	Wishing Pittsburgh Pro Sports Inc., much success	1
3197	Recognizing the importance of neighborhood beautification	1
3198	Recognizing the invaluable role that Pittsburgh Fire Department plays in keeping the City's property and citizens safe	1
3224	Declaring Friday, September 24, 1993 as "Children's Hospital Sickle Cell Program Day" in the City	1
3253	Declaring Saturday October 9 and Sunday, October 10, 1993 as Sons of Columbus Days in the City	1
3296	Declaring Saturday, October 23, 1993 as "Project Bundle-Up Day" in the City	1
3298	Declaring October 17-23, 1993 as "Fair Trade Week" in the City	1
3341	Declaring the week of October 24-30, 1993 to be Red Ribbon Week in the City	1
3342	Congratulating Jennifer Stoessel for receiving the McMillan Publishing Company Scholarship	1
3387	Proclaiming the month of November, 1993 as "SIDS Awareness Month" in the City	1
3407	Proclaiming the day of November 14, 1993 as "Jewish Sports Hall of Fame Day" in the City	1
3408	Declaring November 8-14, 1993 as "National Radiologic Technology Week" in the City	1
3437	Welcoming this Israeli delegation to the City	1
3438	Declaring The Irish Centre of Pittsburgh, Inc. to be an organization within the PA Small Games of Chance Act	1
3462	Commending Jim DePaolo for his lifetime commitment to the Greenfield Community	2
3463	Recognizing the important role the Greenfield Organization has played in the community	2
3483	Declaring December 5-11, 1993 to be Amnesty International/Human Rights Week in the City	2
3484	Proclaiming November 26 - December 4, 1993 as "Home Care Week" in the City	2
3571	Declaring December 12, 1993 to be "Jim Quealy Day" in the City	2

READ AND ADOPTED RESOLUTIONS

BILL NO.	SUBJECT	PAGE
	<u>DAN ONORATO</u>	
1802	Recognizing the outstanding efforts of DARE program officers Ronald Franz and Alex McClelland	10
1828	Recognizing the dedication and effort put forth by John A. Auburn in his attainment of the rank of Eagle Scout	25
1854	Commending Peter Werowski for putting the welfare of a fellow citizen above his own	50
1855	Recognizing the hard work of Mr. Fred Hornberger for all he has given to Teutonia Mannerchor	51
2033	Recognizing Ms. Harriet Henson for her hard work with low-income tenants	212
2035	Proclaiming Saturday, February 20, 1993 as "A Tribute To Black History Day" in the City	217
2082	Recognizing Mr. and Mrs. Davis for their countless hours of community services	264
2106	Declaring Friday, March 5, 1993 as "Mary Dzurainin Day" in the City	311
2159	Presenting Bernard Fleming & Shirley Riley Fleming for heroic efforts in saving the lives of a mother and her five children from fire in Northview Heights on March 11, 1993	393
2201	Declaring Thursday, April 1, 1993 as "Preschool Development Programs Day" in the City	422
2206	Recognizing the Student Ambassadors in the People to People International overseas project	426
2462	Congratulating North Catholic Trojanettes for winning WPIAL and PIAA Class AAA Girls' Basketball Championships	559
2483	Saluting the members of the FOP's 25th Annual Retirement Party	633
2489	Declaring Tuesday, April 20, 1993 as "Reinhold Ice Cream Day" in the City	646
2491	Congratulating Perry Traditional Academy Girls' Basketball Team for capturing the Class AAA City League Girls Basketball Title	650
2492	Congratulating the Perry Traditional Academy Commodores for capturing the Class AAA City League Basketball Title	650
2512	Proclaiming the week of April 24 - May 1, 1993 to be "Victims Rights Week" in the City	681
2515	Commending Daidra Younger for her efforts towards community excellence	685
2559	Recognizing the effort by John A. Auburn, Harold Jones, III and Patrick Jones in their attainment of the rank of Eagle Scout	757

READ AND ADOPTED RESOLUTIONS

BILL NO.

SUBJECT

P.

DAN ONORATO

2586	Recognizing the unique cultural contribution the American Wind Symphony Orchestra brings to the City
2689	Recognizing the dedication and effort put forth by Brian Hardy in his attainment of the rank of Eagle Scout
2716	Proclaiming Sunday, June 6, 1993 as "Day of Sorrow" in commemorating the victims of the Great Famine
2717	Declaring Tuesday, June 12, 1993 as Pittsburgh Children's Museum Day in the City
2754	Commending the Fineview Youth Council for accepting their civic responsibilities through the adoption of Fineview Park
2755	Joining the North Side Veterans Council in honoring their fifty-seventh annual Flag Day celebration
2785	Congratulating Mrs. Margaret Cross on the celebration of her 70th Birthday
2911	Declaring Tuesday, July 13, 1993 as Joseph M. Kopper Day in the City
3036	Congratulating the Spring View Pony League Baseball Team for their success
3037	Recognizing all those who have given their time and energy to make National Night Out 1993 a success
3038	Recognizing the effort put forth by East Allegheny Community Council and the Development Team for success in developing the vacant property located at 520-526 Avery Street Homes
3077	Proclaiming Saturday, August 7, 1993 as "Fred Zangaro Day" in the City
3082	Recognizing the dedication and effort put forth by Martin Kaylor in his attainment of the rank of Eagle Scout
3083	Declaring Monday, August 30, 1993 as "Homeless Awareness Day" in the City

READ AND ADOPTED RESOLUTIONS

BILL NO.	SUBJECT	PAGE
<u>DAN ONORATO</u>		
3134	Declaring Sunday, August 29, 1993 as "James A. Rubino Day" in the City	1599
3160	Wishing Pittsburgh Pro Sports Inc., much success	1619
3221	Recognizing all involved in "Day of Caring" to Riverview Park on September 1, 1993	1690
3222	Declaring the week of October 3-9, 1993 as "Fire Prevention Week" in the City	1693
3224	Declaring Friday, September 24, 1993 as "Children's Hospital Sickle Cell Program Day" in the City	1697
3254	Recognizing all those honored at the 1993 Columbus Day Parade and Festival	1729
3256	Proclaiming the month of October, 1993 as "Local Chamber of Commerce Month" in the City	1733
3300	Recognizing the staff of Center for Victims of Violent Crime for the First Annual Run for Victims a success	1842
3333	Welcoming Gourmet Coffees of America to new location on the North Side	1873
3334	Recognizing the players of the Saints Athletic program for overcoming different cultures and races	1875
3335	Commending James C. Zahren for years of service to the youth	1877
3409	Recognizing the hard work of all those involved in the success of Incarnation Academy's cheerleading squad	1936
3410	Recognizing the dedication of the voluntarily members of the Fort Pitt Chapter Number 13 of the Telephone Pioneers of America	1937
3411	Declaring Monday, November 8, 1993 as "Elizabeth Lalle Day" in the City	1938
3439	Commending Commander Gwen Elliott for her commitment too hard work	1986
3485	Recognizing the courageous actions taken by William and Kim Stuart and Assistance Chief Therese Rocco in administering CPR	2051
3486	Commending the Howard Heinz Endowment, CCAC and Partners in Parks for dedication to Howard Heinz Endowment Environmental Outreach Program	2053
3556	Welcoming Saint Lazarus of Jerusalem to the City	2124
3572	Declaring Sunday, December 12, 1993 as "Die Glocke Sarah Day" in the City	2150
3555	Revitalization of the Northside as the crown jewel of Pittsburgh	2123

READ AND ADOPTED RESOLUTIONS

BILL NO.

SUBJECT

PA

GENE RICCARDI

1803	Declaring the Lithuanian Citizens Society of Western Pennsylvania a civic organization within the context of the Pennsylvania Small Games of Chance Legislation	
2107	Declaring Tuesday, March 9, 1993 as "Ron Horvat Day" in the City	
2207	Applauding the commitment and service of Sarah Vukelich Evosevich to her adopted country	
2752	Declaring Sunday June 13, 1993 "St. Regis Church Day" in the City	
2815	Commending Arlington Heights Tenants Council for their hard work and efforts in building a new tot lot	1
2816	Declaring Tuesday, June 22, 1993 "Elfun Society Day" in the City	1
2832	Commending the Health Education Center's Partnerships In Prevention for demonstrating the ability to positively change the lifestyle of a deserving population	1
2833	Commending several Elementary School throughout the City for their "Just Say No" poster contest	1
2834	Commending several High School students throughout the City for winning the Zone 3 Public Safety Council "Drugs, Guns and Gang Violence in Pittsburgh: Solutions from a Teenager's Point of View" essay contest	1
2837	Declaring Tuesday, June 29, 1993 as "Elder-Ado, Inc., Day" in the City	1
2959	Declaring the month of July as "The Korean War Cease Fire Month" in the City	1
3199	Declaring Sunday, September 26, 1993 as "Holy Assumption of St. Mary Orthodox Church Day" in the City	1
3224	Declaring Friday, September 24, 1993 as "Children's Hospital Sickle Cell Program Day" in the City	1
3255	Declaring October 9-10, 1993 as "Ukrainian Renaissance Fair at the Cathedral Days" in the City	1
3282	Declaring Tuesday, September 27, 1993 as "Teenage Awareness Program Day" in the City	1
3441	Declaring Saturday, November 13, 1993 as "James P. Jeffrey Day" in the City	1
3487	Recognizing the rescue of the staff of Goodwill Industries	2

READ AND ADOPTED RESOLUTIONS

BILL NO.	SUBJECT	PAGE
<u>CHRISTOPHER A. SMITH</u>		
2753	Congratulating Mrs. Hightower on service to the community on the celebration of her 95th Birthday	982
2838	Urging the President and the U.S. Congress to remove the statue of Albert Pike, Grand Dragon of the Ku Klux Klan	1213
2878	Proclaiming July 7, 1993 as "Arthur J. Edmunds Center Day" in the City	1260
2927	Proclaiming July 19 - July 25, 1993 as "Jobs, Justice and Peace Week" in the City	1331
3083	Declaring Monday, August 30, 1993 as "Homeless Awareness Day" in the City	1534
3160	Wishing Pittsburgh Pro Sports Inc., much success	1619
3224	Declaring Friday, September 24, 1993 as "Children's Hospital Sickle Cell Program Day" in the City	1697
3256	Proclaiming the month of October, 1993 as "Local Chamber of Commerce Month" in the City	1733
3257	Celebrating Estelle Harris Blank's one hundredth birthday	1733
3258	Declaring October 8, 1993 as "Harvey Adams, Jr. Day"	1734
3299	Declaring Saturday, October 23, 1993 as "Donald C. Jefferson Day" in the City	1840
3301	Declaring October 19, 1993 as "Integra Day" in the City	1843
3302	Giving praise to Dr. Helen S. Faison for her dedication to the Pittsburgh Public Schools	1844
3303	Declaring October 20, 1993 as "Joseph J. Zunic Day" in the City	1845
3334	Recognizing the players of the Saints Athletic program for overcoming different cultures and races	1875
3343	Declaring Saturday, October 30, 1993 as Jake Millions Day in the City	1888
3344	Recognizing the 45th Anniversary as Schenley Heights Neighborhood Club	1889
3345	Honoring Missionary of Christian Tabernacle Church	1890
3443	Giving praise to Grace Memorial Presbyterian Church for its 125 years of committed service to the Hill District Community	1991
3464	Proclaiming Sunday, November 28, 1993 as "TABERNACLE BAPTIST CHURCH DAY" in the City	2015
3558	Declaring Tuesday, December 7, 1993 as Pittsburgh Hill District Wildcats Mighty Mites Day in the City	2126
3584	Declaring December 21, 1993 as Homeless Memorial Day in the City	2201
3585	Congratulating Eugene and Evelyn Harris on the celebration of their 50th Anniversary	2202

READ AND ADOPTED RESOLUTIONS

BILL NO.

SUBJECT

PA

JACK WAGNER

1829	Recognizing Robert L. Vann Elementary School for its work in "bridge building" with the seniors of K. Leroy Irvis Towers
1856	Designating January 23, 1993 as "Don Bailey Day" in the City
1857	Declaring Saturday, January 23, 1993 as "Pat McNamara Day" in the City
1953	Proclaiming February 12, 1993 as "Urban League Day" in the City
2034	Proclaiming February 26, 1993 as "Mary Carnevale Day" in the City
2083	Designating February 27, 1993 as "Walter Joseph Marm, Jr. Day" in the City
2136	Declaring March 15-21 as "Black Paramedic Council Week"
2137	Proclaiming Saturday, March 13, 1993 as "John M. McNamara Day" in the City
2138	Declaring Sunday, March 14, 1993 as "Bon-Ami Temple No. 49 Day" in the City
2208	Joining execution of the Borough of West Homestead's application to become a member of the Steel Valley Authority
2243	Congratulating the Carrick High School Raiders for AAAA City League Basketball Championship
2245	Revitalization of the Mon Valley Commission region of Allegheny County
2486	Congratulating the Oakland Catholic High School Eagles for achieving the PIAA Class AAAA Girls' Basketball Championship
2512	Proclaiming the week of April 24 - May 1, 1993 to be "Victims Rights Week" in the City
2516	Declaring May 16 - 21, 1993 "A.M.E. Revival Week" in the City
2517	Welcoming the National Urban League Eastern Regional Assembly and commending the Urban League for its dedication to strengthen the Black community
2560	Commending the National Political Congress of Black Women, Inc. for dedicated efforts in organizing Black Women for political achievement
2588	Congratulating the Metropolitan Pittsburgh Chapter of the NAHUC for entering a fifth year of service to health care professionals in this region
2649	Proclaiming the week of May 10, 1993 as THE BUSINESS SHOW/INPEX IX Innovation Week in the City
2786	Declaring Tuesday, June 15, 1993 as Genesis Day in the City

READ AND ADOPTED RESOLUTIONS

BILL NO.	SUBJECT	PAGE
<u>JACK WAGNER</u>		
2879	Declaring Tuesday, July 6, 1993 as "Dr. Oleg Nefedov Day" in the City	1260
2960	Declaring Tuesday, July 27, 1993 as "Leonard Rhodes/Peter Lackey - Panther Hollow Lake Day" in the City	1384
2962	Proclaiming Monday, July 26, 1993 as "Mayor Roald Babun Day" in the City	1389
3035	Proclaiming Sunday, August 1, 1993, as "Peace Run America Day" in the City	1434
3078	Declaring Sunday, August 29, 1993 as "Jazz Day" in the City	1484
3081	Proclaiming Saturday, August 14, 1993 as "Pittsburgh Service Day" in the City	1533
3084	Declaring Friday, September 7, 1993 as "Forget-Me-Not Drive Day" in the City	1535
3160	Wishing Pittsburgh Pro Sports Inc., much success	1619
3224	Declaring Friday, September 24, 1993 as "Children's Hospital Sickle Cell Program Day" in the City	1697
3283	Designating October 18, 1993 as "Dr. Samuel Hazo Day" in the City	1793
3388	Designating the week of November 7, 1993 as "Women Veterans Recognition Week" in the City	1918
3557	Proclaiming the week of December 6, 1993 as 171st Air Refueling Wing of the Air National Guard Week in the City	2124
3159	Declaring Friday, September 10, 1993 as "The Year of American Crafts Day" in the City	1618
3586	Expressing appreciation to Thomas Jayson and Wetco Development Corporation for the efforts toward "The Strip Down by the Riverside"	2203
REDEVELOPMENT AREAS		
2660	Redevelopment Proposal for Pennsylvania/Brighton, Redevelopment No. 49, Pennsylvania/Kirkbride, 22nd & 25th Wards	925, 1409
REDEVELOPMENT PLANS		
2693	Glenwood Project Area Redevelopment Area Plan, Greater Hazelwood, 15th Ward	956, 1308
2696	Redevelopment Activities in Redevelopment Area No. 47, Strip District	956, 1310

RESEARCH ANALYSIS

BILL NO.	SUBJECT	PA
3123	Directors of Public Safety, General Services & Finance pass Resolution to begin research to the preponderance of offensive weapons in the City-County Building	1605, 1
3153	Director of Public Safety and Chief of Police within 10 days of passage of this Resolution, study on bicycle patrol units throughout the City	1628, 1

RESIDENCY REQUIREMENTS

3059	Waive the residency requirement for qualified lifeguards at City pools	1490, 1
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RULES OF COUNCIL

3379	Amendment to Rule VI of of Rules of Council with Pennsylvania Act 20 of 1993	1925, 1
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SEWAGE FACILITIES

1907	Adopting Official Sewage Facilities Plan for the Wiggins Street Homes	109,
2184	1,350 Feet of Sanitary Sewers on Sylvan Avenue, Noah way and Tasso Street, 15th Ward, \$150,000.00	434,
2194	Sewage Facilities Plan for Campbell Heights Plan located on South Side of Mooney Road, 31st Ward	436,
2762	Mayor and the Dept. of Public Works an Amendment Agreement with Borough of Plum, the Plum Borough Municipal Sewer Authority	1018,1234,1
3025	Adopting Official Sewage Facilities Plan for TACO BELL RESTAURANT, Freeport Road in Water Works Mall, 12th Ward	1447, 1
2505	Adopting Official Sewage Facilities Plan for Iroquois Project	6
3181	Adopting Official Sewage Facilities Plan for the Loendi Land Plan of Lots	1653, 1
3182	Adopting Official Sewage Facilities Plan for the Doughboy Square Plan of Lots	1653, 1
3183	Adopting Official Sewage Facilities Plan for the University Center Carnegie Mellon University	1653, 1
3184	Adopting Official Sewage Facilities Plan for the Fox Way Commons Plan of Lots	1653, 1
3185	Adopting Official Sewage Facilities Plan for CCAC Allegheny Campus Student Service Center	1653, 1
3186	Adopting Official Sewage Facilities Plan for SMS Office Building	1653, 1
3187	Adopting Official Sewage Facilities Plan for Hot N' Now Restaurant	1653, 1

TAX PLAN

BILL NO.	SUBJECT	PAGE
3105	Adopting a Tax Incremental Financing Plan presented by URA, Pittsburgh Technology Center Tax Incremental Financing District	1602, 1951
3563	TCI Tolling of 30-day deadline for reviewing the rates of TCI of PA, Inc. for Basic Service, Installation and Equipment	2156, 2219

TRANSFER OF FUNDS

1788	\$6,500.00 - From Code Acct. 1817, Salaries, Parks to Code Acct. 1800, Salaries Administration, Dept. of Parks and Recreation	15, 32
1791	\$5,000.00 - From Code Acct. 1002, Salaries and Wages of Temporary Employees, City Clerk's Office to Code Acct. 1001, Salaries and Wages, Regular and Temporary Employees, City Council	16, 32
1840	\$1,000.00 - From Code Acct. 1856, Repairs, Pittsburgh Zoo, to Code Acct. 1851-1, Premium Pay, Pittsburgh, Dept. of Parks & Recreation	55, 113
1841	\$300,157.00 - From Code Acct. 1843, Senior Citizens Program to Code Acct. SCPTF, Dept. of Parks & Recreation	55, 113
1922	\$1,000.00 - From Code Acct. 1001-2, Salaries & Wages, As Needed to Code Acct. 1838, Misc. Services, Dept. of Parks & Recreation	137, 189
1983	\$5,000.00 - From Code Acct. 1401, to GTF, Graffiti Trust Fund	175, 283
2053	\$8,250.00 - From Code Acct. 1132, Equipment Dept. of General Services to Code Acct. 1043, Misc. Services, Office of the Mayor	269, 694
2113	\$76,905.46 - From Code Acct. JTPA-2 and Code Acct. JTPA-3 to Code Acct. JTPA-1	331, 453
2139	\$67,000.00 - From Code Acct. 1102, Salaries and Wages Regular Temporary Employees to the Pittsburgh Film Office Challenge Trust Fund	394, 487
2195	\$10,000.00 - From Code Acct. 1002, Salaries and Wages and Wages to Code Acct. 1006-9, Worker's Compensation	436, 593
2233	\$5,000.00 - From the Firearms Reduction Trust Fund to Code Acct. 1401, Misc. Services, Dept. of Public Safety	485

TRANSFER OF FUNDS

BILL NO.	SUBJECT	Pa
2451	\$2,000.00 - From Code Acct. 1001-1, Misc. Services, Supplies, Equipment Etc., Dept. of City Council to Code Acct. 1838, Misc. Services, Dept. of Parks & Recreation	590,
2538	\$3,419.00 - From code Acct. 1801, Miscellaneous Services, to Code Acct. 1802, Supplies, Dept. of Parks and Recreation	762,
2539	\$200,000.00 - From Code Acct. 1708-9, Workers Compensation in the Dept. of Public Works to Code Acct. 1808-9 Workers Compensation in Dept. of Parks and Recreation	762,
2540	\$950,000.00 - From various Code Accounts to Code Acct. SSFSP, Special Summer Food Service Program Trust Fund, \$825,000.00 and to Code Acct. SPP, Special Parks Programs, \$125,000.00	762,
2570	\$68,000.00 - From Code Acct. 1803, Utilities to Code Acct. PCTF, Phipps Conservatory Trust Fund in Dept. of Parks & Recreation	
2635	\$500.00 - From Code Acct. 1001-1 Misc. Services, Supplies & Equipment City Council to Code Acct. 1103, Misc. Services, Dept. of City Planning	893,
2652	\$9,871.64 - From Code Acct. 1612-4, Salt to Code Acct. LFT, Dept. of Public Works	924,
2704	\$300.00 - From Code Acct. 1001-1, Misc. Services, Supplies and Equipment, City Council to Code Acct. 1103, Misc. Services, Dept. of City Planning	957,
2731	\$80,000.00 - From Code Acct. 1803, Utilities to Code Acct. PCTF, Phipps Conservatory, Dept. of Parks and Recreation	988,
2760	\$1,000.00 - From Code Acct. 1001-1, Misc. Services, Supplies & Equipment, City Council to Code Acct. 1838, Misc. Services, Dept. of Parks & Recreation	1018,
2773	\$400,000.00 - From various code accts. 1978, 1927-9, 1982, Dept. of Water to Code Acct. 1984, Repairs, Dept. of Water	1020,
2807	\$220,405.00 - From Code Acct. No. 45, Judgments to Code Acct. SPMTF, Dept. of Parks and Recreation	1157,
2847	\$30,000.00 - From Code Acct. 1044, Supplies, Dept. of Mayor, CIS to Code Acct. 1045-9, Dept. of Mayor, CIS	1262,
2867	\$800,000.00 - From Code Acct. 1677, Garbage Refuse and Ash Removal, Dept. of Public Works to Code Acct. 1443-4, Premium Pay, to Code Acct. 1443, Salaries & Wages, Dept. of Public Safety	1266,
2896	\$500.00 - From Code Acct. 1001-1, Misc. Services to Code Acct. 1103, Misc. Services, Dept. of City Planning	1298,

TRANSFER OF FUNDS

BILL NO.	SUBJECT	PAGE
2920	\$25,000.00 - From Code Acct. 1002, Salaries & Wages, Regular and Temporary Employees, City Clerk's Office to Code Acct. 1006-9, Workers Compensation, City Clerk's Office	1340, 1399
2935	\$50,000.00 - From Various Code Accounts to Code Acct. 1700-1, Premium Pay, all within the Dept. of Public Works	1390, 1493
2941	\$10,000.00 - From Code Acct. 1457, Uniform Allowance and \$120,000.00 from Code Acct. 1457-9, Workers Compensation, Dept. of Public Safety	1391, 1493
2943	\$80,000.00 - From Code Acct. 1132-7, Utilities, to Code Acct. 1128, Misc. Services, Dept. General Services	1392, 1494
2944	\$60,000.00 - From code Acct. 1144, Gasoline to Code Acct. 1134, Misc. Services, to Code Acct. 1132-2, Telephones, Dept. of General Services	1392, 1494
2945	\$30,000.00 - To Code Acct. 1132-9, Workers' Compensation from Code Accts. 1142, Misc. Services, Dept. of General Services	1392, 1495
2946	\$100,000.00 - From Code Acct. 1470-9, Workers' Compensation, Bureau of Fire, Dept. of Public Safety to Code Acct. 1132-2, Telephones, Dept. of General Services	1392, 1495
2967	\$70,000.00 - From Code Acct. 1688, Recycling to Code Acct. 1132-5, Radio, Dept. of General Services	1440, 1545
3063	\$1,000.00 - From Code Acct. 1001-1, Misc. Services, Supplies & Equipment to Code Acct. 1103, Dept. of City Planning	1491, 1558
3114	\$455,000.00 - From various Code Accts. Dept. of Water to Code Acct. No. 1926, Municipal Obligations for Non-City Water, Dept. of Water	1603, 1655
3115	\$100,000.00 - From Code Acct. 1922, Misc. Services, Code Acct. 1972, Misc. Services, Dept. of Water to Code Acct. 1132-2, Dept. of General Services	1604, 1656
3116	\$19,000.00 - From Code Acct. 1922, Misc. Services, Dept. of Water to Code Acct. 1132-5, Radio Improvements, Dept. of General Services	1604, 1656
3117	\$215,000.00 - From Code Acct. 1977, Utilities, Dept. of Water to Code Acct. 1132-7, Utilities, Dept. of General Services	1604, 1656
3118	\$380,000.00 - From Code Acct. 1922, Misc. Services, Dept. of Water to Code Acct. 1154-1, Rental of Motorized Equipment, Dept. of General Services	1604, 1656
3119	\$30,000.00 - From Code Acct. 1922, Misc. Services, Dept. of Water to Code Acct. 1921, Premium Pay, Dept. of Water	1604, 1656
3150	\$7,000.00 - From Code Acct. 10, Accts. Payable Prior Years to Code Acct. 1838, Misc. Services, Dept. of Parks & Recreation	1626, 1707

TRANSFER OF FUNDS

BILL NO.	SUBJECT	P.
3161	\$2,403,794 - From Code Acct. 45, Health Insurance Municipal Employees to Code Acct. 58, Municipal Pension Fund-Old	1650,
3169	\$37,000.00 - From Code Acct. 1804-3 Schenley Park Golf Course Trust Fund to Code Acct. SPP, Dept. of Parks & Recreation	1651,
3171	\$200,000 - From Code Acct. BBITF, Dept. of Public Safety to Code Acct. 45, Health Insurance, Municipal Employees, Dept. of Finance	1652,
3172	\$200,000.00 - From the EMS Reimbursed Events Trust Fund to the EMS Trust Fund	1652,
3173	\$1,200,000.00 - From Code Acct. 45, Health Insurance, Municipal Employees to Code Acct. 1461-1, Premium Pay, Dept. of Public Safety	1652,
3175	\$7,500.00 - From Code Acct. 1494, Materials to Code Acct. 1496, Equipment, Dept. of Engineering & Construction	1652,
3176	\$35,000.00 - From Code Acct. 1100, Miscellaneous Services to Code Acct. 1490-9, Worker's Compensation, Dept. of Engineering & Construction	1652,
3177	\$2,084.79 - From the Frick Park Nature Center Trust Fund to the Public Safety Training Account Trust Fund	1652,
3178	\$5,000.00 - From the Property Tax Reduction Trust Fund to the Public Safety Training Account Trust Fund	1652,
3207	\$5,000.00 - From Code Acct. 1701, Misc. Services to Code Acct. 1728-1, Premium Pay, Dept. of Public Works	1698,
3208	\$20,000.00 - From Code Acct. 1544, Sewer Maintenance Contracts to Code Acct. 1612-3, Brooms and Broom Accessories, Dept. of Public Works	1698,
3213	\$50,000.00 - From Code Acct. 1470-9, Workers Compensation, Bureau of Fire to Code Acct. 1420-9, Workers Compensation, EMS	1699,
3243	\$13,000.00 - From Code Acct. 1423, Equipment to Code Acct. 1421, Services Bureau of EMS	1737,
3260	\$20,000.00 - From Code Acct. 1046-1, Premium Pay to Code Acct. 1052-9, Workers' Compensation, Office of City Controller	1794,
3263	\$12,000.00 - From Code Acct. 1676, Misc. Services, Bureau of Environmental Services to Code Acct. 1708, Equipment, Bureau of Parks Maintenance	1794,
3269	\$25,000.00 - From Code Acct. 1457-9, Workers' Compensation, Dept. of Public Safety to Code Acct. 1490-9, Workers' Compensation, Dept. of Engineering & Construction	1795,

TRANSFER OF FUNDS

BILL NO.	SUBJECT	PAGE
3270	\$8,500.00 - From Code Acct. 1490, Equipment to Code Acct. 1484, Supplies, Dept. of Engineering & Construction	1796, 1898
3273	\$50,000.00 - From Code Acct. 1144, Gasoline to Code Acct. 1132-9, Workers' Compensation, Dept. of General Services	1796, 1898
3286	\$350,000.00 - To various code accounts from Code Acct. SSFSP	1848, 1926
3289	\$150,000.00 - From Code Acct. 1457-9, Police Workers Compensation to Code Acct. 1457, Police Quartermaster, Dept. of Public Safety	1849, 1926
3310	\$50,000.00 - From Code Acct. 1470-9, Workers Compensation, Dept. of Public Safety to Code Acct. 1665-9, Workers Compensation, Dept. of Public Works	1891, 1927
3311	\$20,000.00 - From Code Acct. 1676, Misc. Services, Bureau of Environmental Services to Code Acct. 1610, Misc. Services, Bureau of Operations	1891, 1927
3320	\$51,000.00 - To Code Acct. 1830, Salaries, Regular Employees from Code Acct. 1804-3 Schenley Park Golf Course Trust Fund	1893, 1948
3321	\$20,000.00 - From Code Acct. 1804-3, Schenley Park Golf Course Trust Fund too Code Acct. 1831, Wages Regular Employees, Dept. of Parks & Recreation	1893, 1948
3322	\$50,000.00 - From Code Acct. 1470-9, Workers Compensation, Dept. of Public Safety to Code Acct. 1808-9, Workers Compensation, Dept. of Parks & Recreation	1893, 1948
3347	\$50,000.00 - From Code Acct. 1470-9, Fire Bureau, Workers Compensation to Code Acct. 1075, Misc. Services, Dept. of Law	1920, 1996
3351	\$40,000.00 - From Code Acct. 1660-1, Premium Pay, Bureau of Environmental Services to Code Acct. 1501, Premium Pay, Bureau of Administration	1920, 1949
3352	\$35,000.00 - From Code Acct. 1800-1, Premium Pay, Dept. of Parks & Recreation to Code Acct. 1700-1, Premium Pay, Dept. of Public Works	1920, 1949
3353	\$40,000.00 - From Code Acct. 1612-5, Rental of Equipment to Code Acct. 1717, Salaries, Dept. of Parks & Recreation	1921, 1949
3354	\$10,000.00 - From Code Acct. 1727, Wages, Bureau of Parks Maintenance to Code Acct. 1721, Bureau of Parks Maintenance, Dept. of Public Works	1921, 1949
3355	\$5,000.00 - From Code Acct. 1727, Wages, Bureau of Parks Maintenance to Code Acct. 1728, Salaries, Bureau of Park Maintenance, Dept. of Public Works	1921, 1950
3374	\$128,846.00 - From Code Acct. 1922, Misc. Services, Dept. of Water to Code Acct. 51, Postage, Dept. of Finance	1925, 1997

TRANSFER OF FUNDS

BILL NO.	SUBJECT	PA
3375	\$100,000.00 - From Code Acct. 1978, Chemicals, Purification & Pumping, Dept. of Water to Code Acct. 1926, Municipal Obligations Non-City Water Administration, Dept. of Water	1925, 1
3376	\$5,000.00 - From Code Acct. 1404, Supplies and Materials to Code Acct. 1401, Misc. Services, Dept. of Public Safety	1925, 1
3389	\$200,000.00 - From Code Acct. 53-1, Reserve Fund, Debt Service Stadium Authority to Code Acct. 30, Business Tax Refunds to Code Acct. 1061, Salaries Temporary Employees, Dept. of Finance	1940, 1
3399	\$29,525.17 - From Code Acct. 1986, Materials, Dept. of Water to ARTF, Dept. of Public Works	1942, 2
3400	\$143,000.00 - From Code Acct. 1922, Misc. Services, Dept. of Water to Code Acct. 1043, Misc. Services, CIS	1942, 2
3418	\$11,000.00 - To Code Acct. 1045-9, Dept. of Mayor, CIS From Code Acct. 1043, Miscellaneous Services, CIS	1993, 2
3425	\$15,000.00 - From Police Code Acct. 1450, Equipment to Police Code Acct. 1448, Misc. Services, Dept. of Public Safety	1994, 2
3446	\$60,000.00 - From Code Acct. 1043, Misc. Services, Bureau of Environmental Services to Code Acct. 1676, Misc. Services, Dept. of Public Works	2016, 2
3452	\$450,000.00 - From Code Acct. 45, Health Insurance Municipal Employees to Code Acct 1443-4, Premium Pay, Bureau of Police	2017, 2
3453	\$350,000.00 - From Code Acct. 1470-9, Workers Compensation, Bureau of Fire to Code Acct. 1461-1, Premium Pay, Dept. of Public Safety	2017, 2
3454	\$25,000.00 - From Code Acct. 1457-9, Workers Compensation, Bureau of Police to Code Acct. 1444, Salaries and Wages, School Crossing Guards, Dept. of Public Safety	2017, 2
3455	\$100,000.00 - From Code Acct. 45, Health Insurance Municipal Employees to Code Acct. 1470, Uniforms, Bureau of Fire, Dept. of Public Safety	2017, 2
3456	\$350,000.00 - From Code Acct. 45, Health Insurance Municipal Employees to Code Acct 1443, Salaries and Wages, Bureau of Police, Dept. of Public Safety	2017, 2
3509	\$8,484.00 - From Code Acct. RPPPTF to Code Acct. 1043, Office of the Mayor	2131, 2
3527	\$96,965.12 - To Code Acct. SPP from Code Acct. SSFSP Trust Fund	2133, 2

TRANSFER OF FUNDS

BILL NO.	SUBJECT	PAGE
3528	\$450,000.00 - To Code Acct. 45, Health Insurance from SSFSP Trust Fund	2133, 2211
3529	\$150,000.00 - To Code Acct. 1718, Wages from Code Acct. SSP	2134, 2212
3535	\$500.00 - From Code Acct. 1001-1, Misc. Services, to Code Acct. 1003, Misc. Services, Dept. of City Planning	2134, 2213
3561	\$575,000.00 - From Code Acct. 10, Accounts Payable - Prior Years, to Code Acct. 86, Carnegie Institute	2156, 2214

TRUST FUNDS

1862	Creating a special trust fund to be designated as the Pittsburgh Commission on Human Relations Trust Fund for deposits of funds	103, 187
2086	Establishing The Bed and Breakfast Trust Fund	312, 487
2140	Creating special Trust Fund designated as the Pittsburgh Film Office Challenge Trust Fund	394, 487
2444	Trust Fund for Special Events Cost Recovery	589, 734
2471	Trust Fund to be known as "Brereton Street Trust Fund" repairs to the Brereton Street Retaining Wall	652, 724
2799	Director of Dept. of Public Safety to grant a \$500.00 reward from the Graffiti Trust Fund to Lawrence Miller	1156, 1238

VACATIONS

2691	Alsace Street from Hale Street in the 13th Ward, \$1,500.00	955, 1022
2565	Barkers Place between Penn Avenue and McCrea Way for 12 inch water line, 2nd Ward, for a fee of \$1.00	852, 936
2566	Carey Place from South Twenty-Seventh Street, for 6 inch water line, 16th Ward, for a fee of \$1.00	852, 936
2854	Converge Way between Canal Street & East Ohio Street, 23rd Ward, nominal charge of \$1.00	1263, 1347
2005	Craft Avenue at the intersection of Forbes Avenue, 4th Ward	219, 317
2004	Fleury Way between Homewood Avenue and Nadir Way, right of easement of 42" sewer line, 13th Ward	218, 292
2006	Forbes Avenue between Craft Avenue and McDevitt Place, 4th Ward	219, 318
3507	Haskell Way from Penn Avenue to Mulberry Way, 6th Ward	2130,
3210	Line Street between Fairland Street and another portion of Fairland Street, 29th Ward for \$500.00	1699, 1813
2564	Longmore Avenue between Fairacres Avenue and Colebrook Avenue, 19th Ward for 6 inch water line, Amending No. 651/1987	852, 936

VACATIONS

BILL NO.	SUBJECT	PAGE
1920	Margray Way between Interboro Avenue and McElhinny Avenue for sanitary sewer line, 31st Ward, \$1,200.00	137, 227
3394	Raff Street from Anthony Street, William Barker, Jr. Heir Plan, \$1,500.00, 5th Council District	1941, 2021
3231	Shingiss Street from Forbes Avenue to Locust Street, McNulty Drive from Forbes Avenue to Locust Street, 1st Ward	1736, 1856
2913	Stiles Way between Perrysville Avenue and Saturn Way, 25th Ward, \$500.00	1339, 1448
2853	Unnamed Way from Brighton Road, 25th Ward, Pennsylvania/Brighton Redevelopment Area Plan and the Pennsylvania/Brighton Cooperation Agreement	1263, 1347
3470	Unnamed Way from Marcella Street, 5th Ward, 6th Council District	2056, 2162
2052	Vulcan Way between East Lacock Street and Cajou Way, 22nd Ward, \$1,200.00	268, 344

WARRANTS

BILL NO.	SUBJECT	AMOUNT	PAGE
2629	ADVO Systems, Inc.	\$3,106.11	892, 959
3188	Afro-American Heritage Parade	\$2,000.00	1653, 1715
1875	Allison Park Contractors	\$60,177.89	105, 188
3190	American Asbestos Control	\$65,000.00	1654, 1715
1816	American Rent A Ride	\$1,117.98	29, 112
1817	American Rent A Ride	\$1,128.28	29, 112
2109	American Rent A Ride	\$1,577.29	330, 450
2110	American Rent A Ride	\$835.05	330, 451
2111	American Rent A Ride	\$813.66	330, 451
2162	American Rent A Ride	\$868.63	431, 764
3416	American Rent A Ride	\$887.00	1993, 2092
3491	American Rent A Ride	\$14,624.89	2128, 2204
1859	American Rent a Ride	\$3,301.28	103, 186
3225	American-Rent A Ride, Inc.	\$817.80	1735, 1851
2790	Anthony J. Sacco	\$810.00	1154, 1270
1794	Anthony R. Petrosky	\$9,060.00	16,
3523	Aquanetics Systems	\$8,092.10	2133, 2210
2916	Arnita Long	\$721.00	1339, 1399
3047	Arnita Long	\$721.00	1488, 1557
1858	Bell of Pennsylvania	\$1,800.00	103, 186
2467	Bell of Pennsylvania	\$1,818.08	651, 765
3444	Bell of Pennsylvania	\$1,100.00	2015, 2137
1814	Bernice Elinoff	\$900.00	29, 112
2969	Bloomfield-Garfield Corp.	\$800.00	1440, 1495
3547	Breachmenders	\$200.00	2136, 2161
2888	Brian E. Bonsteel	\$37,000.00	1296, 1393
2891	Browning-Ferris Industries	\$2,008.00	1297, 1394
			1296, 1346

WARRANTS

BILL NO.	SUBJECT	AMOUNT	PAGE
2887	C. Megan Hughes	\$407.00	1600, 1628
3092	C. Megan Hughes	\$387.75	1487, 1546
3039	C. Megan Hugues	\$407.00	104, 142
1869	Carl Marshalwitz	\$800.00	312, 335
2085	Carl Marshalwitz	\$500.00	759, 855
2526	Carl Marshalwitz	\$400.00	483, 593
2218	Carl Marshalwitz	\$600.00	1262, 1343
2844	Carl S. Boughton	\$1,579.89	886, 958
2592	Charles & Patricia Miller	\$28,000.00	27, 61
1806	Christopher D. Plumtree	\$750.00	137, 188
1921	Christopher Plumtree	\$750.00	171, 272
1956	Clifford & Vernoica Moeller	\$2,500.00	1627, 1657
3152	Columbus Day Parade Committee	\$2,000.00	218, 288
2000	Commonwealth of PA	\$27,037.66	218, 288
2001	Commonwealth of PA	\$3,562.17	266, 334
2037	Commonwealth of PA	\$2,039.15	266, 334
2038	Commonwealth of PA	\$6,172.30	266, 334
2039	Commonwealth of PA	\$19,951.00	1735, 1895
3228	Commonwealth of PA	\$6,900.00	2128, 2204
3492	Commonwealth of PA	\$3,455.00	2134, 2212
3534	Consolidated Rail Corp.	\$341.64	955, 997
2692	Craig Straw	\$1,386.00	1264, 1304
2855	Craig Straw	\$1,386.00	1488, 1557
3048	Craig Straw	\$1,386.00	314, 396
2096	Crown Wrecking	\$50,000.00	1652, 1751
3174	CSX Railroad	\$8,141.76	1155, 1272
2796	Darryl Taylor	\$500.00	16, 110
1795	Duquesne Light Company	\$4,920.06	270, 335
2059	Duquesne Light Company	\$20,532.29	1390, 1492
2931	Duquesne Light Company	\$1,851.80	1735, 1851
3226	Duquesne Light Company	\$1,350.00	563, 694
2246	Dwight G. Moore	\$795.00	886, 958
2593	Edward T. Lederer	\$1,055.87	1893, 1948
3323	Employers Mutual Association	\$5,887.00	1654, 1715
3189	Environmental Research	\$6,559.64	2137, 2213
3548	Equipment Leasing Authority	\$47,958.39	1017, 1217
2756	Eric G. Kelly	\$1,393.26	1490, 1557
3060	Eric Rucker	\$300.00	16, 110
1793	Fay Edwards	\$960.00	2133, 2210
3524	Geyer Printing	\$5,525.00	29, 111
1813	Gloria Watts	\$2,075.00	692, 855
2497	Government Finance Officers	\$15,000.00	1605, 1629
3124	Greater North Side Athletic	\$1,000.00	

WARRANTS

BILL NO.	SUBJECT	AMOUNT	PAGE
1916	Harold Morris	\$5,100.00	136, 223
3474	Helen Forkin	\$350.00	2057, 2160
2966	Helen Hull	\$300.00	1439, 1495
2163	Helen Hull Consultant	\$300.00	431, 501
2522	Helen Hull Consultant	\$600.00	759, 895
2851	Helen Hull Consultant	\$300.00	1263, 1304
3044	Helen Hull	\$600.00	1488, 1556
3414	Henry F. Jodzis	\$225,000.00	1992, 2058
3094	Hertz Equipment Rental Corp.	\$1,548.10	1600, 1655
2210	Horace J. McDaniel	\$12,500.00	482, 764
3096	Injury Prevention Works	\$600.00	1601, 1655
2003	James & Clara Reiter	\$936.00	218, 314
2965	James D. Boyce, Associates	\$15,759.80	1439, 1495
1792	James E. Rooney	\$3,000.00	16, 141
2574	James E. Rooney	\$3,000.00	853, 934
2919	James Zehfuss	\$125.00	1340, 1399
1815	John Cibrone	\$1,086.00	29, 112
1917	Joseph and Janet Lewis	\$5,103.50	136, 224
3163	Joseph J. Zima	\$1,500.00	1650, 1750
2562	Julianne & Barbara Atkinson	\$50,000.00	852
2846	Julianne & Barbara Atkinson	\$2,000.00	1262, 1343
2161	Karlin Finalyson	\$1,624.69	431, 591
2963	Kenneth Macura	\$1,443.46	1439, 1545
3045	Kenneth Owens	\$600.00	1488, 1556
3415	KPMG Peat Parwick	\$10,534.00	1992, 2092
2174	Laerdal Medical Corporation	\$42,248.80	433, 591
3346	LaFond Galleries	\$2,500.00	1920, 1995
3095	Lawyer's Com. Civil Rights	\$385.00	1601,1753,1801
2964	Leonard & Cynthia Cwiklik	\$991.02	1439, 1545
2942	Liebert CS & S Company	\$7,536.00	1392, 1494
3202	Loren & Sally Siegel	\$1,890.00	1698, 1799
3046	Mamie Ecrie	\$200.00	1488, 1556
3560	Marsetta Lane Temp-Services	\$552.55	2156, 2213
2247	Mary B. Gentile	\$50,000.00	563, 765
2108	McCabe Brothers	\$1,622.44	330, 450
3533	McGraw-Hill, Inc.	\$948.75	2134, 2212
1845	Michael & Mary Moeslein	\$12,000.00	56, 115
1968	Michael Facchiano	\$138,398.96	173, 333
2702	Michelle Madoff	\$1,092.00	957, 1021
2567	New Image Press	\$261.77	853, 934
2097	Noralco Corporation	\$25,535.61	314, 396
3058	Nu-Image	\$14,495.00	1490, 1557
3016	Parking Lot Painting Lot	\$1,150.00	1446, 1546
1957	Patricia Hoffman	\$8,000.00	171, 272
2845	Patrick Smorada	\$1,201.40	1262, 1343
2797	Paul DeRenzo	\$750.00	1155, 1233
3125	Perry Hilltop Citizens'	\$250.00	1605, 1629
2886	Pittsburgh Film Office	\$6,700.00	1296, 1346
2774	Pittsburgh Hilton & Towers	\$9,302.04	1020, 1231
3097	Pittsburgh Housing Now	\$2,000.00	1601, 1655

WARRANTS

BILL NO.	SUBJECT	AMOUNT	PAGE
1787	Pittsburgh Sports & Festival	\$50,000.00	15, 31
2561	Port Authority	\$2,201.30	852, 934
1960	Professional People	\$10,000.00	172,
1961	Professional People	\$5,000.00	172, 273
2732	Public Strategies, Inc.	\$1,600.00	988, 1174
1790	Public Strategies, Inc.	\$1,600.00	16, 60
1987	Public Strategies, Inc.	\$3,200.00	176, 284
2094	Public Strategies, Inc.	\$1,000.00	313, 336
2150	Public Strategies, Inc.	\$1,600.00	395, 500
2473	Public Strategies, Inc.	\$1,000.00	652, 766
2547	Public Strategies, Inc.	\$1,600.00	763,
2870	Public Strategies, Inc.	\$1,600.00	1266, 1345
3065	Public Strategies, Inc.	\$1,600.00	1492,1558,1628
3215	Public Strategies, Inc.	\$4,000.00	1700, 1801
3241	Public Strategies, Inc.	\$4,000.00	1737, 1852
3324	Public Strategies, Inc.	\$1,600.00	1894, 1928
3401	Public Strategies, Inc.	\$800.00	1942, 2020
3562	Public Strategies, Inc.	\$1,600.00	2156, 2214
2160	Rabbi Alvin K. Berkun	\$840.00	430, 591
2573	Ralph Eli Construction Company	\$15,552.00	853, 934
3093	Raymond & Carolyn Schmitt	\$1,000.00	1600, 1655
2209	Raymond P. Fair	\$853.00	482, 764
1955	Robert & Elizabeth Weber	\$10,750.00	171, 272
2791	Robert DiCaprio	\$4,120.00	1155, 1270
2650	Robert Murray	\$1,000.00	923, 990
1918	Roberta Smith	\$3,744.80	136, 224
2856	Ron Pettinato	\$100.00	1264, 1304
3120	Scanlon Consulting Services	\$637.50	1604, 1657
2857	St. Agnes Church	\$75.00	1264, 1305
2180	Stadium Authority	\$500,000.00	434, 592
2843	Stanley J. Dutchko	\$19,000.00	1262,1342,1394
3417	Steven Mitchell	\$1,143.00	1993, 2092
2252	The Hill House Association	\$400.00	564, 655
2112	Title Searching Services	\$1,150.00	330, 453
3268	U.S. Nuclear Regulatory	\$2,120.00	1795, 1897
3525	Unit Structures Specialty	\$3,825.00	2133, 2211
1958	Utica Mutual Insurance	\$20,000.00	171, 273
1959	Various Educational Ins.	\$3,000.00	171, 273
3526	Vaughan's Seed Company	\$2,927.00	2133, 2211
2842	Vendors	\$17,000.00	1261,
2898	Walter H. Drane Company	\$238.50	1298, 1394
2858	Western PA. Police Association	\$300.00	1264, 1305
1765	William Lowman	\$3,000.00	30
3522	Zoological Society	\$3,438.00	2133, 2210

MUNICIPAL RECORD

Proceedings of the Council of the City of Pittsburgh

VOL. XXXVII

Tuesday, January 5, 1993

No. 1

Municipal Record

ONE-HUNDRED TWENTY-SEVENTH COUNCIL

JACK WAGNER President
MICHAEL PERRY City Clerk
LINDA M. JOHNSON-WASLER.... Asst. City Clerk

Pittsburgh, PA
Tuesday, January 5, 1993

PRESENT:

MR. COHEN	MR. O'CONNOR
MR. DARKINS	MR. ONORATO
MR. FERLO	MR. RICCIARDI
MICHELLE MADOFF	MR. WAGNER

(Pres't)

The Meeting was opened by the recitation of the Pledge of Allegiance to the Flag of the United States of America, and a moment of silent prayer for peace throughout the world.

I pledge allegiance to the Flag of the United States of America and to the Republic for which it stands, one Nation, under God, indivisible, with liberty and justice for all.

The Chair:

I would ask that we have a moment of silent prayer in honor of our colleague, Councilman Millions, who passed away this past week. Thank you.

In memory and honor of our colleague, Councilman Jake Millions, we are suspending formal Council business in his honor, and I would ask that we designate this week, the week of January 3, 1993 as "Councilman Jakes Millions Week" in the City of Pittsburgh.

Mr. Ferlo:

So moved.

Mr. Onorato seconded the motion.

The Chair:

I would further ask that we do something permanent in the Councilman's honor. One possibility I would suggest is that we investigate through the Administration and the Urban Redevelopment Authority the possibility of changing the name of Crawford Square to Millions Square.

Mr. Darkins:

So moved.

Mr. Cohen seconded the motion.

The Chair:

Obviously, this would have to be done in consultation with the neighborhood groups, certainly with the Millionses' family, and certainly with the Urban Redevelopment Authority and the Administration.

Thank you for the motion and the second. Is there any discussion?

Mr. Cohen:

Mr. President, I would like to say a few brief words of tribute for our friend and colleague, Dr. Jake Millionses.

I'm still in a state of shock after learning that Jake was taken away from us at the very time when he seemed to be at the peak of his strength. It is, of course, impossible to understand why. So, rather than dwell on the inexplicable, I'd rather focus briefly on the great privilege it has been to work with a man of towering strength and character.

The author, Henry James, once said that there are tough-minded men, and there are tender-minded men. Jake Millionses was a tough-minded man. But his toughness, even his anger, was never for its own sake. It was always directed at injustices.

I have never met a man with greater strength of principle or courage of his convictions. There was no inconsistency between his conscience and his conduct.

And despite news reports suggesting that he was always grim and gruff, he actually had a wonderful sense of humor. I remember when we went to New York together for the Democratic National Convention. Jake was a good time. He was funny. And he could laugh at himself.

But everything Jake did was with strength of purpose. That strength led to contributions, great contributions, to the City of Pittsburgh, greater racial equality in our public school system, the creation of the Crawford Roberts Housing Complex, the renovation of major recreational centers, just to name a few.

Jake Millionses' life made a difference for all the people of Pittsburgh, and he left our entire City in a better condition than when he arrived here years ago.

He also added a sense of dignity and stability to this City Council. A powerful and tenacious advocate for his district and for the City of Pittsburgh, the people of Pittsburgh will miss his leadership for years to come.

And, for me, I will miss him as a warm personal friend and a man whom I loved and admired.

Mr. President, I very much like your suggestion about coming up with a commission or some committee to decide on a worthy permanent memorial for Jake's memory. And I particularly like the idea of renaming Crawford Square as the Jake Millionses Square. I know that Jake was most proud of that great accomplishment, and it's one that merits our recognition.

Jake was most concerned about children. And for me, seeing the children of Jake Millionses Square going to school, playing ball, and just being kids, would be an important living memorial to Jake Millionses. Thank you.

Mr. Darkins:

Mr. President, I would like to bring to the attention of my colleague, Councilman Dr. Jake Millionses, who served us here in the City of Pittsburgh and I had noticed that in the months of

November and December his constant eagerness in his Chairmanship as the Chairman of Finance.

I visited the building on several occasions and through that period of time I noticed that Dr. Milliones was here on Saturdays and Sundays and he was very much concerned about the budget being balanced and also the budget being passed.

Outside of the parameters of government and the political entities and what it might be, there was another great part about Jake Milliones, and I care to share that today. That was his spiritual outlook that he had on life and believing in the Almighty God. And in the time of his calamity and the time of life that had come, the notice had been served upon him, I reflect back when they said it was rest for the weary and I reflect back to Matthew's writing in the 11th Chapter, 28th Verse, when he says, "Come unto me all ye that labor a heavy laden, and I will give you rest and take my yoke upon me and learn in me for I am meek and lowly, and hearten, ye shall find rest for your soul. My yoke is easy and my burden is light."

So, Jake Milliones, our colleague on Council, answered to that call on Saturday.

But another phrase and paraphrase of Scripture that comes to me is from Second Timothy, the 4th Chapter and the 6th Verse. He says, "I am now ready to be offered as the time of my departure is at hand. And I fought a good fight and I have finished my course, and I have kept the faith and, henceforth, it's laid for me a crown of righteousness."

When we have come to and fro to this building and have served in a political arena and served in government, yet there's another thing that we shall remember, that we're only here on borrowed time, and it comes to my remembrance today in regards to Dr. Milliones.

And he knew that because of his spirituality and his spiritual growth with God. And he says, for we know that it is our earthly house, this place where we dwell day to day, year to year, whatever the time might be. This earthly house was dissolved. He says, "I have another building of God and a house not made with hands but eternal in Heaven."

Michelle Madoff:

What can we say that hasn't already been said; very eloquently I might add, by my colleague Dan Cohen and by Reverend Darkins from the Scriptures. We are all very deeply touched. It really brings home that none of us know what's going to happen tomorrow.

I do want to share that while Jake and I were, let's say, worthy adversaries, I have been to his home, I don't know if anybody knows, three or four times. He made the best soul food. We used to joke about the difference of our ethnic foods.

He had a wonderful, delightful sense of humor, even in debate and even in an adversarial role. I could always get a smile out of him.

I miss Jake and I think he's here watching us and he will be forever.

Mr. O'Connor:

Mr. President, tomorrow marks Dan Onorato and my first anniversary in Council. In sitting next to Jake for a year, exactly a year tomorrow, I not only grew to like and respect him but I felt like a classmate. You know, you had intimate conversations through our meetings.

He was very concerned, especially the last month. I had a couple of meetings in my office with him. He was very frustrated that he couldn't and we couldn't do more concerning the

violence in the streets. He was very upset that we as leaders couldn't stop it. I know it bothered him a lot.

But some of the things I remember most about him were that he always had a twinkle in his eye, especially when we had kids in here. He was concerned for kids. When the Reverend brought the Homewood Football Team in, and he helped co-sponsor along with some of us, the Peace On Earth when we brought all the children in about two weeks ago.

He was also very happy the last two or three weeks. I think he was very content. He thought that this was one of the best Councils he had worked with and the budget went very smoothly.

Sitting here, I remember that he came in and whispered to me that he was so happy. He didn't usually show expressions, but one of the last days he said, "My baby is coming home. I'm picking her up at the Airport." His youngest was coming home from college and he was so happy that day that his family would be together at Christmas.

We lost not only a good friend and a great leader, but his family and kids really lost a great father and he'll really be missed by everyone.

Mr. Onorato:

I'll just keep it short, Mr. President, because I think everything has been stated about Councilman Jake Milliones.

I would just like to say that before I was on Council I only knew Jake like everyone else in the City; through the papers, through the media. It was very easy to have a perception of Mr. Milliones that he was very hard or that he was serious, that he didn't like to laugh. That was the furthest from the truth. Being here a year with

Jake, it's unbelievable the two personalities that Jake had. One in front of the cameras being serious and getting down to business; the other one is when the cameras were off, in the hallways and actually getting things done in his district in the City.

Jake was a serious man; however, he was also a great, great person. I couldn't tell you how many times over my first year Jake would stop in my office just to talk, to see how things were going, to make sure that I didn't have any problems the first year, sort of taking us under his wing. But I appreciated that.

Jake, I consider a friend. Even though I have known him for a year and a half, I consider him a very good friend because Jake explained to me that there's more to politics than just sitting in these Chambers. It's when you leave here is when the work gets done, and that is so true.

I think it's important that we tell the people that did not have the chance to meet Jake personally that Jake was a friendly person, a loving person. And, as Councilman O'Connor stated, one thing Jake loved to talk about was his family. Every chance he had, when we had private conversations, he would talk about his children.

So, I would just like to say today that my sympathy goes out to his family because I know the loss they're suffering. They lost a good father, a good person, and the City of Pittsburgh definitely lost a good person.

One thing about Jake Milliones, even though he was an advocate for the minority community and the children of the minority community, he was also an advocate for all of the children in the City of Pittsburgh. Jake, as Councilman O'Connor said, had a little twinkle in his eye when children came in here. And that was with every child who walked in this building,

regardless of their color. Jake really felt that anyone that was underprivileged or that could move ahead, he saw in every individual that there was the potential, and that as a government we should help them achieve that potential.

So, today I would just like to thank Jake for what he provided me over the year and a half, and my sympathies go out to his family.

The Chair:

My deepest sympathy also goes out to his family, his staff, whom all of us know and have worked with, certainly his friends. And there is a big void with that vacant seat here in front of Council.

He was a strong advocate, a very strong advocate, of his district, the people in his district, the African American community in this City, and the City itself.

To me and to all of us, I know he will be missed professionally and certainly to me personally.

Mr. Ferlo:

My comments will be brief.

Certainly to Dr. Milliones' family it's a tragic loss and shock, obviously. But I think in the last few days I've thought a lot about Jake. I probably knew and got along better with Jake when he wasn't a Councilmember over the years. Probably one of the few people around this table that spent time in jail with him fighting one battle or another, most notably a picket line one time against the South African gold coin.

I guess if I could say something most about Jake, as has been commented on by Mr. Onorato and others, it's how Jake felt about young people, not only in terms of education but

about what his aspirations and hopes were for young people in this City.

As Michelle has pointed out, no one is promised tomorrow, and I think everyone needs to be mindful of that. I think it's a question of what do we do every day with our own personal lives, and what do we do every day to try to make other lives better. I think Jake has a long testament in that respect. I think he made significant contributions and towered in the community, not only in his political positions at the School Board and here on Council, but I think certainly with his own personal life in terms of his family.

Langston Hughes has a poem, "Life For Me Ain't Been No Crystal Stair" and in many ways it could describe Jake Milliones' history, the bringing up of his family, all the trials and tribulations he went through with the loss of Margaret and other tragedies that have afflicted him. He had a heavy burden on those broad shoulders of his.

Obviously, my heart goes out to the family. They have suffered a tremendous loss. But, really, the Greater Pittsburgh community and the African American community, in particular, has also suffered a loss.

I think in keeping with your comments, Mr. President, earlier, the Art Commission as well as the Commission on naming public places and property, I think we should communicate to both of those bodies. We have to allocate approximately one percent of the Engineering and Construction's budget on appropriate public art, and I think both Commissions should also be communicated to regarding a lasting and appropriate memorial for Dr. Milliones.

Mr. Ricciardi:

Mr. President, my condolences go out to

Councilman Milliones' family and I hope they find strength, strength in community and strength in God.

I have also had an opportunity to have several discussions with Mr. Milliones concerning certain issues and topics here in the City. As I was saying yesterday, Jake was always able to stay well focused, focused on the big issue. And I think that's something he has left with me in order to become a better public official. It's important to look at the big issue, it's important to stay focused, and not in any way be sidetracked by other events.

The Chair:

I would ask for a roll call vote on designating the week of January 3, 1993 as "Jake Milliones Week" in the City of Pittsburgh and also requesting the appropriate bodies to investigate the possibility of the renaming of Crawford Square to Milliones Square, or some other permanent remembrance of our colleague.

Is there any further discussion on the motions?

And on the question, "Shall the motions pass finally?"

The ayes and noes were taken agreeably to law, and were:

Mr. Cohen	Mr. O'Connor
Mr. Darkins	Mr. Onorato
Mr. Ferlo	Mr. Ricciardi
Michelle Madoff	Mr. Wagner
	(Pres't)

AYES 8

NOES none

And a majority of the votes of Council being in the affirmative, the motions passed finally.

The Chair:

I would further mention that the services for our colleague are at West Funeral Home, 2215 Wylie Avenue, today between 2:00 p.m. and 9:00 p.m. Funeral services will be held at Macedonia Baptist Church, 2225 Bedford Avenue in the Hill District tomorrow, January 6, 1993 at 1:00 p.m.

And on the motion of **Michelle Madoff**

Council adjourned.

MUNICIPAL RECORD

Proceedings of the Council of the City of Pittsburgh

VOL. CXXVII

Tuesday, January 12, 1993

No. 2

Municipal Record

ONE-HUNDRED TWENTY-SEVENTH COUNCIL

JACK WAGNER President
MICHAEL PERRY City Clerk
LINDA M. JOHNSON-WASLER.... Asst. City Clerk

Pittsburgh, PA
Tuesday, January 12, 1993

PRESENT:

MR. COHEN	MR. O'CONNOR
MR. DARKINS	MR. ONORATO
MR. FERLO	MR. RICCIARDI
MICHELLE MADOFF	MR. WAGNER
	(Pres't)

The Meeting was opened by the recitation of the Pledge of Allegiance to the Flag of the United States of America, and a moment of silent prayer for peace throughout the world.

I pledge allegiance to the Flag of the United States of America and to the Republic for which it stands, one Nation, under God, indivisible, with liberty and justice for all.

PRESENTATIONS

Mr. Cohen:

Would Helen Schlenke, family and friends please come up here? These are only a small portion of your family and friends.

It is a pleasure for me to introduce the following resolution.

Mr. Cohen presents

No. 1800 WHEREAS, Helen Corcoran Schlenke, born in Pittsburgh on December 4, 1912, has dedicated her life to public service and for almost twenty years has worked tirelessly to preserve and improve the quality of life in the North Oakland community and throughout the City of Pittsburgh; and

WHEREAS, Helen attended Schenley High School and graduated from the University of Pittsburgh, after which she began serving at the United States Department of Labor under President Franklin Delano Roosevelt and worked her way up to the position of Director of Planning of Labor Standards Administration until leaving in 1973; and

WHEREAS, after living in Pakistan and traveling throughout the world, Helen returned to her hometown of Pittsburgh to apply her experience and many talents to work as an activist and advocate for important causes in her community and the City of Pittsburgh; and

WHEREAS, Helen has fought tenaciously for the needs of her community in working to preserve the neighborhood of Oakland, to improve its housing stock, to fight against absentee landlords and reckless developers, to increase public safety and to preserve the historic value of Pittsburgh's greatest assets. She has also fought to preserve South Side Park, to demand audible traffic signals for the elderly, handicapped and visually-impaired, and to oppose the relocation of bus stops to serve the needs of citizens who depend on public transportation; and

WHEREAS, Helen has served as the President of the Bellefield Area Citizens Association for more than 15 years and continues to work as a member of many community organizations such as the Shadyside Action Coalition, the Pittsburgh Association for the Blind, Preservation Pittsburgh, and many others.

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh congratulates and commends Helen Schlenke for her many years of outstanding service to the Oakland community and to the City of Pittsburgh; and

BE IT FURTHER RESOLVED, that the Council of the City of Pittsburgh declares Tuesday, January 12, 1993 to be "Helen Schlenke Day" in the City of Pittsburgh.

Mr. Cohen moved to adopt the resolution.

Michelle Madoff seconded the motion.

Which motion prevailed.

Mr. Cohen:

Helen, I want to give this proclamation to you. I can think of really very few other people in

the City who deserve the kind of recognition that we're giving to you today.

You are a leader, some say the leader, of the Oakland community and you've never asked for a dime for the many thousands of hours of work that you've put into your leadership. You know, some people forget that there's actually a neighborhood in Oakland too, with all the universities and the hospitals and the development that's going on there. But Helen Schlenke constantly reminds everyone that there is a neighborhood there, that it's a strong and vital neighborhood, and one that deserves the recognition of this City.

As President of the Bellefield Area Citizens Association, BACA, Helen, your display of leadership has been really phenomenal and you have been a strong voice, an eloquent voice, and always one that exhibited dignity and class. And in my view, that's really what you stand for, Helen, as somebody with leadership and dignity and class. And it's been those traits that we have all been so proud of.

And I'm proud that you have with you today your nephew, Tom Smith, born and raised in Oakland, and Tom's wife, Lorraine Smith, and their son, Ian Smith. I'm very happy to have you here as well as all of your friends.

So, on behalf of City Council and the City of Pittsburgh, congratulations, Helen.

Ms. Schlenke:

Thank you very much. I feel especially honored because I know that you, Dan, and the other Members of Council share a vision with me, the vision of a better Pittsburgh, or else you wouldn't make the sacrifice you do to serve on the Council.

Pittsburgh is a beautiful city. I don't know

of any other city that has its magnificent green hills and its setting on three rivers. You can't beat it. But yet, it was known in my youth as The Smoky City. It's still known, I'm sorry to say, sometimes as the Shot and Beer Town.

Now, with your cooperation, I think we can make Pittsburgh realize its potential. But that is going to take the neighborhood groups and Council, all of us, working together.

It's going to take imagination to figure out what our problems are and how to solve them. It's going to take courage to fight for what we want. It's going to take perseverance to keep after it. I'm sure we can do it.

I, for example, can't understand why we let billboards obscure the beauty of our City. I can't understand why we let slum landlords, many of them from outside the City, let our housing stock go into disrepair and decay while they exploit our residents.

I want cleaner air. I want a cleaner city. I want improved transportation. Again, I think we can do it.

So, I am saying to everybody all over this City, let's make 1993 our year of achievement. Thank you again.

Mr. Cohen:

Let me just say, Helen, that it would be less than appropriate for you to receive a commendation from this Council and not stand up and fight for those worthy causes that you're fighting for, and I'm glad you did.

I guess since we put your birthdate down there we can say that at age 80 you have as much energy as people who are half your age.

Congratulations and keep fighting. And

we'll fight with you.

Mr. Darkins presents

No. 1801 WHEREAS, January 15, 1993 marks the 64th birthday of slain civil rights leader and Nobel Peace Prize recipient, Dr. Martin Luther King, Jr.; and

WHEREAS, on Sunday, January 17, 1993, Greater Faith Tabernacle Church of God In Christ dedicates its 11:00 a.m. service to Dr. King, Jr., paying tribute to a man who inspired and sustained the struggle for freedom, nonviolence, interracial brotherhood and equal rights; and

WHEREAS, on January 17, 1993, Greater Faith Tabernacle C.O.G.I.C. also recognizes men and women whose attitude and actions contribute to making Dr. King's dream a reality that "one day this nation will rise up and live out the true meaning of its creed that all men are created equal"; and

WHEREAS, the honorees are: James Henry, Executive Director of Hill House; Donald G. Block, Executive Director of Greater Pittsburgh Literacy Council; Marlene Szary, Executive Director of Girl Scouts of Southwestern Pennsylvania; William Thompkins, Executive Director of Urban Youth Action; Chester Lee, Executive Director of Penn Hills Multi-Purpose Center; Nate Smith, Executive Director of Operation Dig and New Careers; John Zottala, City of Pittsburgh Zoning Board of Adjustment; Robert L. Pitts, Mayor, Borough of Wilkinsburg, Pennsylvania; Tim Stevens, Executive Director of B-Pep; William Hugley, Executive Director of American Red Cross Pittsburgh and Allegheny Chapter; Dr. Joseph Brennan, Director of Duquesne University Reading Clinic; Arthur Gilkes, Allegheny County Deputy Coroner/Elder Shadyside Presbyterian Church; Viola Fears, St.

Francis School of Nursing; Congressman William Coyne; Malik Bankston, Vice President of Abraxas Group, Inc.; Louise Brennen, Superintendent, Pittsburgh Public Schools; Peggy Harris, former owner of Phoenix Hill Shopping Center; and Thelma Campbell, past President of Silver Lake Community Civic Association.

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh joins with Greater Faith Tabernacle Church of God In Christ in celebrating Dr. Martin Luther King, Jr.'s 64th birthday and further congratulates the honorees for their steadfast commitment to make a difference in the struggle for the rights of mankind.

Mr. Darkins moved to adopt the resolution.

Michelle Madoff seconded the motion.

Which motion prevailed.

Mr. Onorato:

I'd like to call up Officer Franz and Officer McClelland.

Mr. Onorato presents

No. 1802 WHEREAS, Project DARE is a drug and alcohol abuse prevention program offered by the Pittsburgh Bureau of Police to Pittsburgh public, private and parochial schools; and

WHEREAS, the DARE program is based on a model that originated in Los Angeles, California, as a joint project of the police department and the school district; and

WHEREAS, the DARE program has been in existence in Pittsburgh for approximately seven and one-half years and employs eight full-

time officers; and

WHEREAS, the DARE program reaches between twenty and twenty-four schools a semester; and

WHEREAS, the program is designed to focus on students in the fourth and fifth grades and teaches lessons in building self-esteem, managing peer pressure, drug use, and resistance techniques; and

WHEREAS, the DARE project also addresses kindergarten through third grade students in a four week program, and the sixth, seventh and eighth grade students through a variety of activity-oriented techniques; and

WHEREAS, the program also includes workshops for parents and teachers which introduce the objectives of the DARE program and help to make adults aware of the signs of substance abuse and how to seek assistance; and

WHEREAS, Officer Ronald Franz has been a City of Pittsburgh police officer for thirteen years and has been involved with the DARE program since its inception in January of 1987; and

WHEREAS, Officer Alex McClelland has been a City of Pittsburgh police officer for approximately twenty-six years and has been involved with the DARE program for five and one-half years.

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh recognizes the outstanding efforts of the DARE program officers Ronald Franz and Alex McClelland, to educate youth with regard to the dangers of drugs and alcohol.

Mr. Onorato moved to adopt the resolution.

Mr. Ricciardi seconded the motion.

Which motion prevailed.

Mr. Onorato:

Members of Council, Mr. President, I had the pleasure of being at St. Cyril's Grade School last week to witness their graduation from the DARE program. I think it's important that we all recognize this program. It was amazing to see the interaction between the children and the officers and their understanding of the dangers of drugs and alcohol. This program is very successful.

There's two officers here representing the program and I think it's a program that we should make sure that we continue to fund because it's money well spent and the number of children they are reaching is unbelievable.

It's a good program, it really gets their attention, and the kids realize that there's more to life than to fall to these pressures that are out there for them.

At this time I'd like to have Officer Franz tell you a little bit about the program because, as I found out, a lot of people don't know about the DARE program if you're not involved with the schools.

Officer Franz:

Thank you. On behalf of myself, Officer McClelland and our coordinator, Officer Regina McDonald, and the four other officers that make up the DARE program, I want to thank you for this presentation.

The DARE program is ten years old across the nation but it is seven years old here in Pittsburgh. We've been fortunate that we've been able to cover every school in the City of Pittsburgh and we get back to the same school

every two years. Over this period of time, we've probably covered approximately 25,000 students in the fourth and fifth grade, and many more in kindergarten through the third grade.

We think what we're doing is one way to fight the war on drugs and in our program our students are not learning just what drugs are but they're learning how to feel good about themselves. They're learning different techniques to handle stress, how to view the media and the messages they're getting from the media.

So, these things combined we hope will make these students grow up and say no. The war on drugs is going to take a long time. We hope that we'll be around for a long time. And we certainly appreciate Council's backing and we hope that maybe we'll be able to come to you when we need it.

Again, on behalf of all the DARE officers, thank you very much.

Michelle Madoff:

Were you the gentlemen that were being interviewed yesterday on a show and I think one of you reported that an 11 year old child had called in to report a friend because he didn't want him smoking and drinking?

Officer Franz:

No.

Michelle Madoff:

Well, it obviously is a very successful program going on in other parts of the country. It may have been California, I'm not sure. It was on one of the national talk shows, I thought, but I wasn't sure. And that was the message, that an 11 year old had called in and the police were just

thrilled that what they had said had rubbed off. He was trying to save his friends.

Officer Franz:

The DARE program is in all 50 states. It's in every school that's handled by the Department of Defense and five foreign countries.

Michelle Madoff:

You know, people don't realize what public servants the police and firefighters are and different members of government that you'd give of yourself so freely in addition to your jobs and I personally want to thank you.

The Chair:

Thank you gentlemen.

Mr. Ricciardi presents

No. 1803 WHEREAS, the Lithuanian Citizens Society of Western Pennsylvania is a non-profit organization located at 1721-25 Jane Street, Pittsburgh, PA; and

WHEREAS, the Lithuanian Citizens Society of Western Pennsylvania has filed its Articles of Incorporation and Bylaws with the Commonwealth of Pennsylvania and is authorized to engage in civic and service purposes; and

WHEREAS, the Lithuanian Citizens Society desires to operate certain small games of chance and/or conduct raffles to generate funds to finance its operations and further its goals.

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and the Council of the City of Pittsburgh hereby recognize and declare the Lithuanian Citizens Society of Western Pennsylvania a civic organization

within the context of the Pennsylvania Small Games of Chance Legislation.

Mr. Ricciardi moved to adopt the resolution.

Mr. Ferlo seconded the motion.

Which motion prevailed.

Mr. Cohen presented

No. 1769 Resolution authorizing the URA of Pgh. to acquire all the City's right, title and interest, if any, in and to the publicly-owned property in the 22nd Ward of the City of Pittsburgh designated in the Deed Registry Office of Allegheny County, Block 8-A Lot 14 (901-903 Brighton Road), for the sum of \$1.00, under the Residential Land Reserve Fund. This vacant lot is being acquired for the sale of Allegheny West Civic Council, Inc., for use as a park. The property is approx. 3,084 square feet. (Council District No. 6)

Also,

No. 1770 Resolution approving execution of a Contract for Disposition of Land by and between the URA of Pgh. and Allegheny West Civic Council, Inc., for the sale of Block 8-A Lot 14 (901-903 Brighton Road), for the sum of \$350.00, in the 22nd Ward of the City of Pittsburgh. The redeveloper intends to use this vacant lot as a small park. The redeveloper is a nonprofit corporation located at 845 North Lincoln Avenue, Pgh., PA 15233. The officers of this corporation are Michael Coleman, President; David Allen, Vice President; Carl Canales, Treasurer; Mary Ann Eubanks, Recording Secretary; and Alex Watson, Corresponding Secretary. (Council District No. 6)

Also,

No. 1771 Resolution authorizing the URA of Pgh. to acquire all the City's right, title and interest, if any, in and to the publicly-owned property in the City of Pittsburgh under the Industrial Land Reserve Fund. (Council District Nos. 1, 5 & 7)

Also,

No. 1772 Resolution authorizing the URA of Pgh. to acquire all of the City's right, title and interest, if any, in and to the publicly-owned property in the 23rd Ward of the City of Pittsburgh designated in the Deed Registry Office of Allegheny County, as Block 24-J Lots 268, 284 and 285, for the sum of \$1.00, under the Residential Land Reserve Fund. (Council District No. 1)

Also,

No. 1773 Resolution approving execution of a Contract for Disposition of Land by and between the URA of Pgh. and Spring Garden Neighborhood Council, Inc., for the sale of Block 24-J Lots 268, 284 and 285, for the sum of \$1,000.00, in the 23rd Ward of the City of Pittsburgh. The redeveloper intends to use these vacant lots for parking. The entire site consists of approx. 13,150 square feet. The redeveloper is a nonprofit community organization with a mailing address at 1114 Spring Garden Avenue, Pgh., PA 15212. The officers of this corporation are Charles Klinger, President; John Glatz, Vice President; Jim Cunningham, Treasurer; Joe Lazewski, Secretary; and Board Members Ray Glatz; Paul Cerny; and Bernie Erb. (Council District No. 1)

Also,

No. 1774 Resolution authorizing the URA of Pgh. to acquire all of the City's right, title and interest, if any, in and to publicly-owned property in the City of Pittsburgh under the

Residential Land Reserve Fund, for the sum of \$1.00. (Council District Nos. 3, 5 & 6)

Also,

No. 1775 Resolution approving execution of a Contract for Disposition of Land by and between the URA of Pgh. and various redevelopers for the sale of properties in the City of Pittsburgh (SIDEYARDS). (Council District Nos. 3, 5 & 6)

Also,

No. 1776 Resolution authorizing the URA of Pgh. to acquire all of the City's right, title and interest, if any, in and to the following publicly-owned property in the City of Pittsburgh under the Residential Land Reserve Fund, for the sum of \$1.00. (Council District No. 6)

Also,

No. 1777 Resolution authorizing the URA of Pgh. to acquire all of the City's right, title and interest, if any, in and to the publicly-owned property in the 18th Ward of the City of Pittsburgh designated in the Deed Registry Office of Allegheny County, as Block 3-J Lot 70 (408 Arlington Avenue), for the sum of \$1.00, under the Residential Land Reserve Fund. This lot is being acquired for conveyance to the adjacent owner, Gemstone Properties, Co., for construction of a garage. The property contains approx. 7,150 square feet. (Council District No. 3)

Also,

No. 1778 Resolution approving execution of a Contract for Disposition of Land by and between the URA of Pgh. and Gemstone Properties Co., for the sale of Block 3-J Lot 70 (408 Arlington Avenue), for the sum of \$500.00, in the 18th Ward of the City of Pittsburgh. The

redeveloper is the adjacent owner who intends to use this lot to construct a garage for off-street parking. Property approx. 7,150 square feet. The redeveloper is a partnership consisting of Edward N. Stoner and Mari D. Stone, 226 Outlook Drive, Pittsburgh, PA 15228. (Council District No. 8)

Also,

No. 1779 Resolution authorizing the URA of Pgh. to acquire all of the City's right, title and interest, if any, in and to the publicly-owned property in the 24th Ward of the City of Pittsburgh designated in the Deed Registry Office of Allegheny Council, as Block 24-C Lot 278 (1301-1303 Spring Garden Avenue), for the sum of \$1.00, under the Residential Land Reserve Fund. This vacant lot is being acquired for conveyance to St. Michael & All Angels Lutheran Church for use as a parking lot. The property contains approx. 4,200 square feet. (Council District No. 1)

Also,

No. 1780 Resolution approving execution of a Contract for Disposition of Land by and between the URA of Pgh. and St. Michael & All Angels Lutheran Church for the sale of Block 24-C Lot 278 (1301-1303 Spring Garden Avenue), for the sum of \$500.00, in the 24th Ward of the City of Pittsburgh. The redeveloper intends to use this vacant lot for parking. The property contains approx. 4,200 square feet. The redeveloper is a nonprofit religious organization located at 1308 Spring Garden Avenue, Pgh., PA 15212. The church officers are as follows: Rev. Paul F. Kokenda, President; Carol Schmidt, Vice President; William D. Luft, Administrator; Elmer J. Bauers III, Treasurer; and Vera M. Dereskavich, Secretary. (Council District No. 1)

Which were severally read and referred to the Committee on Planning, Housing and Development.

Mr. Darkins presented

No. 1781 Resolution providing for an agreement or agreements or the use of existing agreements for the furnishing of professional services for the benefit of the residents of the City of Pittsburgh effective December 23, 1992, at a cost not to exceed \$50,000.00, chargeable to and payable from Code Account 1676, (formerly Code Account 1176), Misc. Services, Bureau of Environmental Services, Department of Public Works. The total of \$50,000.00 is for administration, marketing city neighborhoods and lot clean up services in relation to educating the public on litter for NeighborFair Pittsburgh. These funds are to be paid from Code Account 10 when approved.

(PRIOR APPROVAL GRANTED)

Which was read and referred to the Committee on Public Works.

Mr. Ferlo presented

No. 1782 Resolution providing for a professional services agreement or agreements or for the use of existing agreements for the purchase of fuel for City owned vehicles at a cost not to exceed \$400,000.00, chargeable to and payable from Code Account 1144, Gasoline and Diesel Oil, Department of General Services.

Also,

No. 1783 Resolution providing for an Agreement or Agreements and/or a Contract or Contracts, or for the use of existing Agreements or Contracts for the leasing of office space, and the necessary services and equipment required due to the relocation and housing of the various occupants of the Public Safety Building, at a cost not to exceed \$120,000.00, chargeable to and payable from Code Account 1128, Misc. Services, Department of General Services.

Which were read and referred to the Committee on General Services.

Michelle Madoff presented

No. 1784 Resolution authorizing the Urban Redevelopment Authority to include detailed information on all URA Sales of Property Legislation.

---(SPONSORED BY MICHELLE MADOFF)

Which was read and referred to the Committee on Planning, Housing and Development.

Also,

No. 1785 Resolution limiting the awarding of all B Contracts to \$15,000.00.

---(SPONSORED BY MICHELLE MADOFF)

Also,

No. 1786 Resolution authorizing and directing the Bureau of Cable Communications to cablecast any Post Agenda Meeting which has an affirmative vote of Council to cablecast and is scheduled immediately following Council's Standing Committees Meeting.

---(SPONSORED BY MICHELLE MADOFF)

Which were read and referred to the Committee on General Services.

Michelle Madoff moved to suspend Rule 8 by providing for consideration of the bills only until or after the 8th calendar day following the meeting in which the bills were introduced so the bills will be on the agenda this Wednesday.

Mr. Ricciardi seconded the motion.

Which motion prevailed.

Mr. O'Connor presented

No. 1787 Resolution authorizing the issuance of a warrant in favor of the Pittsburgh Sports & Festival Federation in the amount of \$50,000.00 in payment for services provided to the City of Pittsburgh, chargeable to and payable from Code Account 1838, Misc. Services, Department of Parks and Recreation.

Also,

No. 1788 Resolution transferring the amount of \$6,500.00 from Code Account 1817, Salaries, Parks, to Code Account 1800, Salaries, Administration, Department of Parks and Recreation. This Resolution shall be effective upon signature of the Mayor. This transfer is necessary to pay for Salaries for the remainder of the year 1992. (PRIOR APPROVAL GRANTED)

Which were read and referred to the Committee on Finance.

Mr. O'Connor moved to suspend Rule 8 by providing for consideration of the bills only until or after the 8th calendar day following the meeting in which the bills were introduced so the bills will be on the agenda this Wednesday.

Mr. Darkins seconded the motion.

Which motion prevailed.

Also,

No. 1789 Resolution providing for an Agreement or Agreements with the Pittsburgh Sports & Festival Federation at a cost not to exceed \$150,000.00, chargeable to and payable from Code Account 1838, Misc. Services, Department of Parks and Recreation.

Which was read and referred to the Committee on Parks and Recreation.

Mr. Ricciardi presented

No. 1790 Resolution providing for the issuance of a warrant in favor of Public Strategies, Inc., One Bigelow Square, Suite 616, Pittsburgh, PA 15219, in the amount of \$1,600.00 in payment for professional consulting services rendered to Councilman Eugene Ricciardi for the month of January 1993, chargeable to and payable from Code Account 1001-2, Salaries, Wages and Services of Council, As Needed, City Council, District No. 3. ---**(SPONSORED BY MR. RICCIARDI)**

Which was read and referred to the Committee on Finance.

The Chair presented

No. 1791 Resolution transferring the amount of \$5,000.00 from Code Account 1002, Salaries and Wages of Temporary Employees, City Clerk's Office, to Code Account 1001, Salaries and Wages, Regular and Temporary Employees, City Council. ---**(SPONSORED BY MR. WAGNER)**

Which was read and referred to the Committee on Finance.

Mr. Cohen moved to suspend Rule 8 by providing for consideration of the bill only until or after the 8th calendar day following the meeting in which the bill was introduced so the bill will be on the agenda this Wednesday.

Mr. O'Connor seconded the motion.

Which motion prevailed.

Also,

No. 1792 Resolution providing for the issuance of a warrant in favor of James E. Rooney, 940 North Lincoln Avenue, Pittsburgh, PA 15233, in the amount of \$3,000.00 in payment for professional services rendered to City Council for November and December, 1992, chargeable to and payable from the Lead Prevention Policy Commission Trust Fund, (LPPC).

---**(SPONSORED BY MR. WAGNER)**

Also,

No. 1793 Resolution providing for the issuance of a \$960.00 warrant in favor of Fay Edwards for automobile damage incurred when vehicle was sold for salvage without proper notification to claimant, payable from Code Account No. 46, Judgments.

Also,

No. 1794 Resolution providing for the issuance of a \$9,060.00 warrant in favor of Anthony R. Petrosky, in settlement of claim for property damage incurred when claimant's sewer line had to be replaced due to obstruction by City tree roots, payable from Code Account No. 46, Judgments.

Also,

No. 1795 Resolution providing for the issuance of a \$4,920.06 warrant in favor of Duquesne Light Company in settlement of claim for property damage incurred when City Water Department Personnel in the process of excavating, hit and broke a power line at Sixth and Penn Avenues, chargeable to and payable from Code Account No. 46, Judgments.

Also,

No. 1796 Resolution providing for an

Agreement or Agreements with William M. Mercer for professional services in connection with the Comprehensive Health Analysis and Management Program (CHAMP) at a cost not to exceed \$140,000.00, chargeable to and payable from Code Account 45, Health Insurance, Department of Finance.

Also,

No. 1797 Resolution providing for an Agreement with Dickie, McCamey & Chilcote, P.C. for professional services for the City Controller, at a cost not to exceed \$75,000.00, chargeable to and payable from Code Account 1048, Misc. Services, Department of City Controller.

Which were severally read and referred to the Committee on Finance.

Also,

No. 1798 Communication from the Allegheny County Sanitary Authority submitting a list of the Authority's personnel as of December 31, 1992.

Also,

No. 1799 Petition from the residents of the City of Pittsburgh requesting a public hearing before City Council requesting a full investigation of property located at 194 Plymouth Street before any restoration occurs.

Which were read, received and filed.

UNFINISHED BUSINESS

Mr. Ferlo:

Two points. One is, I would like to get a list from the City Clerk by the next meeting of any

outstanding requests for information from the Administration in the previous year. There are a few issues that have yet been communicated to by the Administration.

Secondly, I notice there's a payment coming up again for the consultant on the Lead Prevention Commission. We did ask for copies or reports. Some Councilmembers have been provided those reports, others haven't, and before that payment or discussion takes place I think we're owed an explanation. Thank you.

The Chair:

I believe those reports can be provided by Councilman Cohen.

Mr. Cohen:

Yes, Mr. President.

The Chair:

I'd like to mention one item that I feel appropriately falls under Unfinished Business because it pertains to Council District 6.

I feel it's very important that we as a body state on the record the importance that Council District 6 will continue to be serviced out of City Council Offices. I know there have been some questions and discussions in the last several days in regard to that. Obviously, we've had a very unfortunate, unpredictable situation occur with the loss of our colleague last week.

The important issue really in front of Council is whether or not the taxpayers and the constituents that live in Council District 6 which really is a multitude of neighborhoods, and I believe I have them listed here, Allegheny Center, Allegheny West, California Kirkbride, Central North Side, Downtown, Fineview, the Hill District, Oakland, Manchester, the Strip

District, the Uptown Corridor, and parts of Perry Hilltop. It's very important that we as a body send a positive message that these people will be serviced until a vacancy is filled on City Council.

I know I have spoken with most all of you in regard to this issue. I know you're in support of it and I feel it's very important that we send a clear message that that will continue, that that Council District will be serviced with representatives working out of Councilman Milliones' former office with some control by Council and the City Clerk's Office.

I want to state that on the record. I want that to be upfront. I want the public to know it. More importantly, I want the people in Council District 6 to know it. It's very important because under Council by District obviously there is a void in the process where, with the loss of a Councilmember, there is no elected official servicing that district. Until that correction can be made in the Charter, which I would hope Council would support a correction and I believe we need to talk about that in great detail, until a correction can be made in the Charter where a vacant seat can be filled within a timely fashion, I feel it's very important that we in an innovative way come up with a manner in which the public is properly served.

As I indicated, the people there pay taxes. The other eight Council Districts have representation not only with an elected official but staff within the office, and we all know our staff does as much or more than we do. And there are daily concerns of people living in all parts of the City of Pittsburgh, whether it be refuse collection, a street needing salted, maintenance in a park, a senior citizen facility, and we could go on and on.

I just feel it's very important that this Council send a clear message that service will continue from that office during the interim

period until the vacancy is filled.

Michelle Madoff:

I think that thought occurred to all of us. I had spoken I believe to Mike, I'm not too sure, to a number of people who said why don't we just keep the office going. I was told that the problem was that when Dick Caliguiri died, and I filled his seat in 1978, but until that election happened there was no representation. Granted, it was all at large. But I would like to think that all Councilmembers represent everybody in the City. I frequently get calls from, with all due respect to my colleagues, Squirrel Hill. I get calls from all over the City, North Side, and I'm sure you get calls from my area, gentlemen, if there's a special issue or something that you're working on.

I will have no problem with keeping that office open. My question is, have you checked with the Law Department to see if that is doable, and with the Election Board? I'm always accused of not going by the rules so I'm just saying that perhaps we ought to just make sure that we're doing something that's legally acceptable.

The Chair:

The decision made here, and I believe supported by all of you, is a decision made within Council and within Council only. It is our prerogative.

Michelle Madoff:

Fine with me.

Mr. O'Connor:

Do you have any information on how long the Home Rule Charter or the Law Department will change this, will make a definite decision on what is to be done?

The Chair:

In regard to the vacancy and how the vacancy is filled, within a day we will have a formal opinion from the Law Department about what that procedure is. That opinion has come from the Election Department, in essence.

In regard to the Charter change, that would have to be a piece of legislation put forth and passed by Council.

Mr. O'Connor:

And if we do keep the office open, I think all of us, whether it be Parks or whatever, I think we could be a conduit for that office, that staff, to get in touch with either of us in our special departments and I think we would be glad to assist them.

The Chair:

Absolutely. And I appreciate you mentioning that.

Mr. Cohen:

Mr. President, I just want to say that I very much support your position that you've taken with respect to having the staff of that office serve the constituents the best that they can, the constituents of Council District 6.

And just to add to what you said to amend the Home Rule Charter, it would have to be legislation, as you said, but also, of course, passed by the votership of the City of Pittsburgh. It would have to be on the ballot in May so we wouldn't be able to amend the Home Rule Charter prior to that.

The Chair:

Yes. Thank you.

Michelle Madoff:

There is a rule in place, Mr. President. The Election Board and the new law says that when someone vacates a seat for whatever reason, in the case of Dick Caliguiri he went on to be Mayor and there was an unfilled term of a year and a half, that whoever runs at the May Primary will sit in that office until the next election. In my case, I ran in May, took office in June, and ran again the following May. I did not run in the November election of that year.

So, whoever would run this year would run in May, would take office and then run again next year in May and next November.

The Chair:

Yes, that's true.

Michelle Madoff:

And it might be the same person running or it might be two different people.

The Chair:

I simply want to thank all of you individually and collectively for supporting me on this decision.

MOTIONS AND RESOLUTIONS

Michelle Madoff:

I have been waiting rather patiently to respond to the accusations that have been made against me of theft. I must tell you, as the media and the public know, I don't let anything fester. I

answer immediately. I spend a day perhaps doing some research and then I would hold a press conference to respond. But, unfortunately, we lost a colleague and out of respect to that colleague we did not hold Council.

It was a matter that concerned all of Council. I had called all my colleagues prior to the 5th of January to tell them what I had been accused of and what it meant to them. My sense was that they wanted me to treat this as Council business and out of respect to them I waited until today. So, if the public is wondering why I didn't respond, that was the reason.

So, I would like to begin with a prepared statement.

"Mr. Hayllar, the Mayor's "Hired Gun", has publicly accused me of abusing the privilege of using free postage stamps. He claims that those familiar with my office suggested that I sent out a season political mailing. What is his evidence? The accusations make me wonder which of my recent constituent mailings he is referring to.

Is he labeling as political mail the letter I sent to my constituents in District 2 responding to their numerous concerns about neighborhood problems, lack of police, drug enforcement, abandoned properties, problems the Administration ignored despite numerous requests for help?

Or perhaps it was my letter to the senior citizens instructing them to contact the Mayor urging her to get on with making the Department of Aging a reality, an issue the Mayor has dragged her feet on for three years.

Or perhaps he's referring to my letter to my constituents in the West End who, after ten years of waiting and begging to have their smelly (sewer gas) and rat infested Worst End Center

replaced, were ready to march on City Hall. Yes, I wrote to advise them to call the Mayor's Office and insist that a commitment be made before the 1993 Budget was closed and to review the locations under consideration, including one Bill Urbanic of my office had located.

It is a matter of record that in all the years that I've served on Council I have probably spent the least amount of dollars on mailings as compared to any other Councilmember. Perhaps this is due to the fact that in the past elected at large I relied more heavily on the news media to communicate with the people. The lack of newspapers as of May, 1992 increased the need for a direct mail.

While I appreciate that the City must attempt to keep costs down by using metered or bulk mailings as much as possible, there is also the issue of privacy. My colleagues will confirm that their mail is tampered with, opened and scrutinized in the Mail Room. In effect, the Administration is spying on Council. This is a classic example of the Executive Branch inappropriately trying to control the Legislative arm of government. The contents of mail sent by Councilmembers is not the purview of the Administration.

It is also a matter of record that for many years my incoming and outgoing mail was frequently tampered with, mail not received or delivered. I found it necessary to obtain postage stamps from the City Clerk and instructed my staff to mail outgoing mail directly into the mail box.

In 1991, Council allocated \$1,000 a year in postage stamps to each member, and that's probably because of the tampering and spying. Curiously, no word of protest was heard from Mr. Hayllar when the practice began.

Indeed, in November, 1992 I took the

balance of my allocation of stamps, intending to send out two very important mailings without scrutiny by the Administration, one concerning a plan for workable curfew drafted by Attorney Jesse Torisky and his students, intended to withstand the First Amendment challenge and address valid concerns of discrimination.

My mailing was to solicit comments from community leaders, citizens groups, clergy, corporations, etc. However, upon learning that the plan was under review by the Monroeville City Council, I decided it would be prudent to wait for their comments. The second mailing concerned a light at a dangerous crossing which was once more put into the budget but not installed.

I will, however, be sending out these mailings in the near future and, obviously, I will utilize the 2,300 stamps from my allocation before obtaining additional postage.

The real issue here is not stamps but rather an attempt to silence legitimate criticism of the Administration. I continually make public information that the Mayor would rather the public, the media, and even Councilmembers didn't find out about. Information such as:

The 800 percent plus increase, from \$3.77 to \$31.60 a ton for recycling. It appears the Administration anticipated an increase of only \$10 a ton. The final dollar figure was never given to Council, even after the contract was awarded and ingeniously awarded by the Administration using "B" contracts.

For those who may not know, "B" contracts are intended to provide funds for emergency or very small contracts only. My colleague, Mr. Ferlo, has talked about this for years; I wish I would have listened to him earlier.

"B" contracts are awarded by the

Administration without having to bring the specific contract to Council for a vote or for questioning. As an example, using this loophole, the City gave \$8 million in "no-bid" work to a construction contractor.

And as part of the \$8 million plum, this same contractor remodeled the Finance Department, budgeted over \$1 million, including Mr. Hayllar's personal office at a time the City was cutting services and employees. Nothing was too fancy for Mr. Hayllar. \$48 a yard carpeting for 54 yards at \$2,641.60. \$25-\$28 is considered premium. A little granite here, a special door there - if he liked it, we bought it, and the City pays for it.

To curtail this outrageous abuse, I have today introduced amendments to the use of "B" contracts limiting each "no bid" award to no more than \$15,000.

My post agenda today on recycling will publicly disclose yet another aspect of mismanagement and poor communication by the Administration with Council. If what I have heard is true, we could be paying considerably less than \$31.60 per ton - a sizeable savings to taxpayers. The contract with BFI should be voided.

This is allowed for under the proviso in the RFP, allowing the City to reject any and all bids. Even more important, I will demonstrate that the Mayor's one bag system is a total disaster. And the entire way we recycle needs to be revamped. We have an employee getting \$55,000 a year who never kept us apprised of what was happening. I was the person who helped the Mayor get the blue bag through to say let's start with something with the understanding that we would be kept apprised. But we never were.

Anyway, the issue is strictly a matter of I

tell it the way it is. There are no secrets. If there's something going on and I find out about it, I share it with the public, and that is obviously embarrassing to the Administration. That's what the stamp thing is all about.

And so I ask, can anyone hazard a guess as to why the Administration finds my \$4.27 overrun of postage stamp so important? Is anyone so naive as to believe for one moment that Mr. Hayllar would launch this "tempest in a teapot" attack on my character without the approval of the Mayor? I think not. Since I inadvertently received \$4.27 more in stamps than I am entitled to, I have returned \$4.27, in pennies, to Mr. Hayllar with the fond hope that counting the pennies will keep him better occupied."

I also sent him a letter and I'd like to read that into the record.

"Dear Mr. Hayllar:

In as much as your letter dated December 29, 1992 is suggestive of my involvement in criminal wrongdoing and acts of dishonesty, I have turned this matter over to my attorney for consideration of filing a libel suit.

The fact that you disseminated your accusatory letter to me to the media and others for public consumption underscores the maliciousness of your conduct. You continue to engage in offensive and irresponsible conduct directed solely to impair my excellent reputation. I will not tolerate your accusations. By this letter I am directing my attorney to take whatever action is appropriate."

I once had a similar problem on another matter with a colleague. We sued and we settled out of court. I am not joking about this. Mr. Hayllar doesn't know when to quit.

He returned the pennies, he had

somebody sneak up and return them, I personally went down and gave them to him, and he wrote back on the letter to the attorney a little note that said, "If you wish to make restitution, this isn't enough." Well, we'll discussed that in court. I think the facts speak to themselves.

And I might just add one last thing. We're going to have a post agenda following these comments and I got a letter yesterday. If you don't think I'm being harassed, folks, the media, or anybody out there in television land, listen to this one.

"It has come to my attention that you contacted B.F.I. and informed them that their recycling contract was going to be cancelled. In case you are unaware of it, you have no authority to either enter into a contract or to break a contract. Furthermore, if you ever do this again, I will personally go to the Law Department to request an investigation of your improper conduct to assess potential liability.

While you may disagree with our policy, you are expected to act in a professional manner. The call you placed to B.F.I. was both unprofessional and unethical.

Further action like this will not be tolerated."

I wrote back and caught Mr. Turner in the hall a few minutes later and my note to him said:

"Dear Jim:

Ben Hayllar's sloppiness with the truth is apparently rubbing off on you. As witnessed by my Aide, Bill Urbanic, I informed BFI that I intended to ask that the BFI contract be voided. I always act in a professional manner and, unlike the Administration, I don't try to sneak legislation through in secret. I welcome an investigation by the Law Department as it would provide an

additional opportunity to expose the manner in which this contract was awarded."

I think I've said enough and I think my colleagues can speak for themselves. I don't know if they want to talk about the times their mail was tampered with but, if they don't, I'll be happy to talk for them.

Mr. Ricciardi:

Mr. Wagner, the use of the mail here in City Hall is a very important tool and resource for all of us, I believe. It gives us an opportunity to correspond with our constituents on very important issues.

The one that Michelle Madoff has abused these privileges I just believe is outrageous. If you look at the past, over the last three years that I was able to research, Michelle Madoff is consistently the lowest spent on mailings. Of course, the Administration and taxpayers have every right to raise the issue, are the mailings being abused. But I think in Michelle's case it's just so outrageous because she's consistently lower, and I believe no one, no constituent or taxpayer or voter, whatever, believe that Michelle Madoff would run around and take a 29 cent stamp.

I would like to say on a light note, Michelle, I'll take those pennies and I'll ask Ben Hayllar to match them, and I'll take them over to the South Side to one of our food banks. So hold on to those.

Michelle Madoff:

I might add that consistently, I think it's correct to say, that most years I spent about \$300 or \$400 or \$200 about the average. And my colleagues past and present spend somewhere around \$2,000 or \$3,000. I just want to put this in perspective. And, frankly, I support them and I

congratulate them for staying in touch with their constituents.

I think this is outrageous kind of behavior and I just wanted to put it in some kind of perspective. I talked to all of my colleagues and they agreed that this was indeed singling me out unfairly. One of my colleagues, if they care to identify themselves, sent a letter, it was stopped in the mail room and sent to the Law Department to determine whether that letter was indeed not a political mailing.

Another colleague sent out a letter, which he paid for himself, for a meeting. And unfortunately something was missing from the letter, one name.

Another colleague sent out 4,000 letters saying, "Hey, me too."

One of my colleagues who was new here got a letter, the Administration came up and said, "Hey, I don't think you can send this letter out."

You tell me what right the Administration has to spy. I would like to know how many political mailings go out of the Administration Office that are truly political. I don't know, but I don't make that kind of accusation until I see the letters.

Mr. Ferlo:

Words do not express how I feel about this incident so I'd like to just quickly, having taken pen in hand --

The Director of Finance named Ben, unduly preoccupied on what Councilmembers pen through the mail with cause to the constituents all, at a nominal expense they did send, Councilmember Michelle he did rely,

putting her and her staff on public trial,
for only doing her job with great manial.

Councilmembers, all, spoke for longer
than a mile on how Ben should return to the
resume file.

The Chair:

We have a post agenda immediately
following Council's Legislative Meeting
conducted by Councilwoman Madoff. The
purpose is to discuss the City's proposed
recycling contract.

Michelle Madoff moved to approve the Minutes
of Monday, November 23, 1992 and Tuesday,

December 1, 1992.

Mr. Cohen seconded the motion.

Which motion prevailed.

Michelle Madoff moved to adjourn this meeting
and meeting again on Wednesday, January 20,
1993 at 10:00 a.m.

Mr. Cohen seconded the motion.

And on the motion of **Michelle Madoff**

Council adjourned.

MUNICIPAL RECORD

Proceedings of the Council of the City of Pittsburgh

VOL. CXXVII

Wednesday, January 20, 1993

No. 3

Municipal Record

ONE-HUNDRED TWENTY-SEVENTH COUNCIL

JACK WAGNER President
MICHAEL PERRY City Clerk
LINDA M. JOHNSON-WASLER Asst. City Clerk

Pittsburgh, PA
Wednesday, January 20, 1993

PRESENT:

MR. FERLO	MR. ONORATO
MICHELLE MADOFF	MR. RICCIARDI
MR. O'CONNOR	MR. WAGNER
	(Pres't)

ABSENT:

MR. COHEN	MR. DARKINS
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The Meeting was opened by the recitation of the Pledge of Allegiance to the Flag of the United States of America, and a moment of silent prayer for peace throughout the world.

I pledge allegiance to the Flag of the United States of America and to the Republic for which it stands, one Nation, under God, indivisible, with liberty and justice for all.

PRESENTATIONS

Mr. Onorato presents

No. 1828 WHEREAS, John A. Auburn, Jr. has been involved in scouting for approximately eight years; and

WHEREAS, John A. Auburn, Jr. has progressed from a Cub Scout to a Weablo Scout to a Boy Scout; and

WHEREAS, John A. Auburn, Jr. is a member of Troop 24, Troy Hill, and has earned the distinction of becoming an Eagle Scout by going above and beyond all requirements, including 60 hours of service and earning 38 badges; and

WHEREAS, John A. Auburn earned his 60 hours of service by clearing, planting and maintaining the church yard of St. Boniface Church; and

WHEREAS, a very small percentage of the boys involved in scouting ever attain the prestigious rank of Eagle Scout.

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh recognizes the dedication, hard work and effort put forth by John A. Auburn in his attainment of the rank of Eagle Scout.

Mr. Onorato moved to adopt the resolution.

Mr. Ferlo seconded the motion.

Which motion prevailed.

The Chair:

This next resolution was traditionally presented by Councilman Millionses. In his absence, I'm honored to present it and I'd like Sala Udin, who is now working within the Council District 6 office, to please step forward.

And I would like the children and the other representatives from Robert Vann Elementary School, including Mrs. Doris Brevard, to please step forward to receive the resolution.

We're honored to have them here today to receive this resolution, and we understand there is going to be a brief performance given after the presentation of the resolution. They have these very colorful outfits and look terrific.

The Chair presents

No. 1829 WHEREAS, the Chorus Members of Robert L. Vann Elementary School, under the leadership of Doris G. Brevard, participated in the Annual Councilman Jake Millionses Christmas Caroling to Seniors Program at the K. Leroy Irvis Senior Citizens Home on December 18, 1992; and

WHEREAS, the Chorus Members provided entertainment which lightened the hearts of the community elders and helped to bridge the gap between the old and the young; and

WHEREAS, the Chorus Members, at an early age, are beginning to demonstrate a sense of responsibility and respect for their elders, to offset the fear that sometimes keeps seniors confined to their homes, afraid to walk the streets,

afraid of their own community youth; and

WHEREAS, the joining together of the community's youth and seniors, in an ongoing, meaningful exchange of wisdom and energy, was the beginning of a long held dream come true for Councilman Jake Millionses; and

WHEREAS, the Chorus Members include: Carmen Brown, Parrish Davenport, Tashinna Humphries, Keith Jackson, Omari Parker, Adona Shipman, Denise Means, Tyronne Jackson, Tialarae Jones, Dawn Favor, Robert Harris, Alexis Alexander, Joi Bryant, N-Kechi Chieke, Jade Hatcher, Erica Hines-McGee, Willy Larry, Donald Owens, Dayla Reynolds and Michel Montgomery.

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh, on behalf of the late Councilman Jake Millionses, hereby recognizes Robert L. Vann Elementary School for its work in "bridge building" with the seniors of K. Leroy Irvis Towers.

Michelle Madoff moved to adopt the resolution.

Mr. Ricciardi seconded the motion.

Which motion prevailed.

The Chair:

I would now like to introduce Sala Udin who is going to, I understand, read the names of the various young people in front of us today and also introduce Mrs. Brevard who is going to say a few words. And then we're going to have a performance.

Mr. Udin:

Thank you. I'd just like to welcome all of you, Ms. Hill, Ms. Brevard, and the students from

Robert L. Vann Elementary School.

Ms. Brevard:

It's indeed a pleasure for us to be here this morning and I certainly hope that we can continue our efforts within the community. The community has always been very supportive to Vann School and we in turn like to do our share.

As you know, Vann is the greatest school on earth and if you are in our area, please come to visit. The children would love to have you as part of the Vann family.

Parrish Davenport:

Good morning. My name is Parrish Davenport and I'm in the fifth grade at Robert L. Vann Elementary School in the Hill District. Our principal's name is Ms. Brevard and our Assistant Principal is Mr. Slomberg.

We are very honored to give this performance for you today. This will be done in memory of Dr. Jake Milliones because it brought a smile to his face at our performance at the K. Leroy Irvis Towers during the holiday. Thank you.

**AT THIS POINT WAS A PERFORMANCE
GIVEN BY THE CHILDREN**

The Chair:

Thank you all very much.

Mr. Ferlo for Mr. Cohen presented

No. 1804 Resolution authorizing the URA of Pgh. to enter into a Grant Agreement with East Allegheny Community Council, Inc. for an amount not to exceed \$80,000.00 under the Neighborhood Housing Fund. The grant will be used to defray part of the cost of construction of

four three-bedroom townhouses on 520-526 Avery Street in the 23rd Ward. (Council District No. 1)

Which was read and referred to the Committee on Planning, Housing and Development.

Mr. Ferlo moved to suspend Rule 8 by providing for consideration of the bill only until or after the 8th calendar day following the meeting in which the bill was introduced so the bill will be on the agenda this Wednesday.

Mr. Ricciardi seconded the motion.

Which motion prevailed.

Mr. Ferlo for Mr. Darkins presented

No. 1805 Resolution granting unto Carl and Linda Gasper with an address at 113 Carieann Drive, New Kensington, PA 15068, their successors and assigns, the privilege and license to construct, maintain and use at their own cost and expense, one double-faced business identification sign in the right-of-way of South Fifteenth Street in the 17th Ward, 3rd Council District of the City of Pittsburgh.

Which was read and referred to the Committee on Public Works.

Mr. Ferlo presented

No. 1806 Resolution providing for the issuance of a warrant in favor of Christopher D. Plumtree, 601 Garden City Drive, Monroeville, PA 15146, in the amount of \$750.00 in payment for professional consulting services rendered to Councilman Jim Ferlo for the month of January 1993, chargeable to and payable from Code Account 1001-2, Salaries, Wages and Services of Council, As Needed, (Index Code 100123), City Council, District No. 7. ---**(SPONSORED BY MR. FERLO)**

Which was read and referred to the Committee on Finance.

Mr. Ferlo moved to suspend Rule 8 by providing for consideration of the bill only until or after the 8th calendar day following the meeting in which the bill was introduced so the bill will be on the agenda this Wednesday.

Mr. Ricciardi seconded the motion.

Which motion prevailed.

Also,

No. 1807 Resolution pursuant to Home Rule Charter, Article 3, Section 312, Council shall initiate a formal investigation to ascertain and determine all administrative actions taken or to be taken regarding land acquisition, contracts, bidding, zoning approval, inter-governmental involvement, and other matters dealing with the land acquisition and construction of two new fire stations being constructed on Arlington Avenue and on Woods Run. No funds are required to conduct the investigation by Council.
---(SPONSORED BY MR. FERLO)

Which was read and referred to the Committee on Finance.

Also,

No. 1808 An Ordinance amending the Pittsburgh Code of Ordinances, Title One, Administrative, Article VII, Procedures, Chapter 161, Contracts, Section 161.02, Competitive Bidding Exceptions, to require competitive bidding on contracts for general rehabilitation, repair and renovation projects. In the case of general rehabilitation, repair and renovation services, no one project shall exceed \$25,000.00, the City shall advertise and accept competitive bids for that projects. --- (SPONSORED BY

MR. FERLO, MICHELLE MADOFF & MR. RICCIARDI)

Also,

No. 1809 Resolution providing for an Agreement or Agreements or for the use of existing Agreements for an internship for graduate student(s) for a period of one year, from January 1, 1993, until December 31, 1993, to perform various energy related services for the Department of General Services at a cost not to exceed \$24,586.00, chargeable to and payable from the Energy Conservation Trust Fund, Department of General Services.

Also,

No. 1810 Resolution providing for the letting of a Contract or Contracts, or to exercise against existing Contracts, for furnishing and/or installing energy conservation equipment for the Department of General Services at a cost not to exceed \$215,000.00, chargeable to and payable from Capital Account 3-30-01-0004-93, Energy Conservation Improvements for Public Buildings, Department of General Services.

Which were severally read and referred to the Committee on General Services.

Mr. Onorato presented

No. 1811 Resolution providing for a Contract or Contracts to purchase and install flooring for the Emergency Operations Center at a cost not to exceed \$20,000.00, chargeable to and payable from ETATF, Department of Public Safety, Emergency Operation Center.

Which was read and referred to the Committee on General Services.

Mr. Ricciardi presented

No. 1812 An Ordinance supplementing Title III--Fiscal, Chapter 263--Real Property Tax, by creating a real property tax exemption program and a process for application thereunder.

---(SPONSORED BY MR. RICCIARDI & MR. ONORATO)

Which was read and referred to the Committee on Finance.

Mr. Ricciardi moved to suspend Rule 8 by providing for consideration of the bill only until or after the 8th calendar day following the meeting in which the bill was introduced so the bill will be on the agenda this Wednesday.

Mr. O'Connor seconded the motion.

Which motion prevailed.

The Chair presented

No. 1813 Resolution providing for the issuance of a \$2,075.00 warrant in favor of Gloria Warts, in settlement of claim for property damage incurred when a City refuse truck struck a parked car on Renova Street, payable from Code Account No. 46, Judgments.

Also,

No. 1814 Resolution providing for the issuance of a \$900.00 warrant in favor of Bernice Elinoff in settlement of claim for sidewalk damage due to City tree roots at 2951 Fernwald Road, payable from Code Account No. 46, Judgments.

Also,

No. 1815 Resolution providing for the issuance of a \$1,086.00 warrant in favor of John

Cibrone in settlement of claim for sidewalk damage due to City tree roots at 2935 Pioneer Avenue, payable from Code Account No. 46, Judgments.

Also,

No. 1816 Resolution providing for the issuance of a \$1,117.98 warrant in favor of American Rent A Ride in settlement of claim for automobile damage to a City leased vehicle struck while parked in the 1900 block of Wrights Way on June 27, 1992, payable from Code Account No. 46, Judgments.

Also,

No. 1817 Resolution providing for the issuance of a \$1,128.28 warrant in favor of American Rent A Ride in settlement of claim for automobile damage to a City leased vehicle after it was stolen on July 9, 1992 from the parks and recreation facility on South Braddock Avenue, payable from Code Account No. 46, Judgments.

Also,

No. 1818 Resolution further amending Resolution No. 892, Item A, eff. August 31, 1992 to include a strip of land 3' x 100', 5th Ward, Block 10 J, Lot 337, 2106 Bedford Avenue. The purchasers, Lawrence Freeman and Barbara Drake Freeman, failed to make the balance payment. (Council District No. 6)

Also,

No. 1819 Resolution providing for conveyance by the City of Pittsburgh of certain property, under Act No. 171 of 1984, entitled, "Second Class City Treasurer Sale and Collection Act", effective December 11, 1984.

Also,

No. 1820 Resolution Repealing Resolutions, approved on various dates, authorizing the sale of properties in various Wards of the City of Pittsburgh, in accordance with Act No. 171 of 1984.

Which were severally read and referred to the Committee on Finance.

Also,

No. 1821 Communication from Ben Hayllar, Director, Department of Finance, submitting a report of securities pledged as collateral by City Depositories as of November 30, 1992.

Also,

No. 1822 Communication from Mulugetta Birru, Executive Director, Urban Redevelopment Authority, submitting the Position and Salary Report as of December 31, 1992.

Also,

No. 1823 Communication from Tom Flaherty, City Controller, submitting the Performance Audit of the Urban Redevelopment Authority, Economic Development Department as of November 1992.

Also,

No. 1824 Petition from the residents of the City of Pittsburgh requesting a public hearing before City Council on the issue of the Haverhill Street Landslide.

Which were severally read, received and filed.

REPORTS OF COMMITTEES

The Chair presented

Bill No. 1825

Report of the Committee on Finance for January 13, 1993 transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 1765

A Resolution entitled, "Resolution providing for the issuance of a warrant in favor of William Lowman, 5468 Black Street, Pittsburgh, PA 15206, in the amount of \$3,000.00 in payment for professional consulting services rendered to Councilman Jake Milliones for the month of December 1992." ---**(SPONSORED BY MR. MILLIONES)**

Which was read.

Mr. Ferlo:

Mr. President, I think at some point you need to sit down with Council in regards to Bill 1765 on future payments regarding the operation of one of the Council Offices. I think we need some clarification on what future expenditures will be coming out of the code accounts. I would like that before we continue to incur any expense. I think we need an agreement on Council regarding those appropriations.

The Chair:

Fine. Excellent idea.

Just to alert Council, we need six votes on the two warrants, Bills 1765 and 1787, for

passage.

Michelle Madoff:

Same subject. First of all, this is an old bill that was incurred on 1765 and we're just meeting a commitment that was made by Dr. Milliones.

We need to know if he has a long-term contract with this individual. That would be the first question we need to have answered. And I don't think there will be anybody authorized in the office to go out and enter into any contract anyway.

So, I don't think it's going to be an issue, is what I'm saying. I think it becomes a non-issue.

The Chair:

This is a final payment for services rendered in 1992 and it does not include any commitments for 1993.

Michelle Madoff:

My point is that if the gentleman and Dr. Milliones had entered into a long-term contract for 1993, we need to find that out and see if there's a commitment.

The Chair:

That has not happened.

Michelle Madoff:

Okay. And I would assume that the existing staff would not enter into any contract for that office. They are not authorized to do it, so this becomes a moot issue.

The Chair:

We will be distributing a memo from myself and Mike Perry indicating the format by which Council District 6 will continue to function to make sure every Councilmember is aware of that.

Mr. Ferlo:

I think it needs a vote of Council. That's what I was suggesting.

Michelle Madoff:

And I would think it's appropriate to let the District 6 people know that not only would Reverend Darkins be available to help as a representative of their community, but all of us can be called at any time. My office number is 255-2131. You can get all the numbers from the switchboard which is 255-2142. If anybody in the 6th District needs any help, don't hesitate; we'll be there.

Also,

Bill No. 1787

A Resolution entitled, "Resolution authorizing the issuance of a warrant in favor of the Pittsburgh Sports & Festival Federation in the amount of Fifty Thousand Dollars (\$50,000.00), in payment for services provided to the City of Pittsburgh, furnished for the benefit of the City without previous authority of law; and providing for the payment thereof."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass

finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Ferlo	Mr. Onorato
Michelle Madoff	Mr. Ricciardi
Mr. O'Connor	Mr. Wagner
	(Pres't)

AYES 6 NOES none

And there being two-thirds of the votes of Council being in the affirmative, the bills passed finally.

Also,

Bill No. 1788

A Resolution entitled, "Resolution transferring the amount of \$6,500.00 from Code Account 1817, Index Code 181701, Salaries, Parks, to Code Account 1800, Salaries, Administration, Index Code 180000, in the Department Parks and Recreation."

Which was read.

Also,

Bill No. 1791

A Resolution entitled, "Resolution transferring the amount of \$5,000.00 from Code Account 1002, Salaries and Wages of Temporary Employees, City Clerk's Office, to Code Account 1001, Salaries and Wages, Regular and Temporary Employees, City Council."

---(SPONSORED BY MR. WAGNER)

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Ferlo	Mr. Onorato
Michelle Madoff	Mr. Ricciardi
Mr. O'Connor	Mr. Wagner
	(Pres't)

AYES 6 NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Mr. Ferlo for Mr. Cohen presented

Bill No. 1826

Report of the Committee on Planning, Housing and Development for January 13, 1993 transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 1681

A Resolution entitled, "Resolution authorizing the Urban Redevelopment Authority of Pittsburgh to acquire all of the City's right, title and interest, if any, in and to the publicly-owned property in the 20th Ward of the City of Pittsburgh designated in the Deed Registry Office of Allegheny County, as Block 21-P Lot 100, under the Residential Land Reserve Fund."

Which was read.

Also,

Bill No. 1682

A Resolution entitled, "Resolution approving execution of a Contract for Disposition of Land by and between the Urban Redevelopment Authority of Pittsburgh and Lorraine Collins for the sale of Block 21-P Lot 100 in the 20th Ward of the City of Pittsburgh (RESIDENTIAL CONSTRUCTION)."

Which was read.

Also,

Bill No. 1685

A Resolution entitled, "Resolution authorizing the Urban Redevelopment Authority of Pittsburgh to acquire all of the City's right, title and interest, if any, in and to various publicly-owned property in the City of Pittsburgh under the Residential Land Reserve Fund."

Which was read.

Also,

Bill No. 1686

A Resolution entitled, "Resolution approving execution of a Contract for Disposition of Land by and between the Urban Redevelopment Authority of Pittsburgh and various Redevelopers for the sale of properties in the City of Pittsburgh (SIDEYARDS)."

Which was read.

Also,

Bill No. 1784

A Resolution entitled, "Resolution authorizing the Urban Redevelopment Authority to include detailed information on all URA Sale of Property Legislation."

---(SPONSORED BY MICHELLE MADOFF)

Which was read.

Also,

Bill No. 1224

A Resolution entitled, "Resolution approving execution of a Contract for Disposition of Land by and between the Urban Redevelopment Authority of Pittsburgh and Richard Elliott for the sale of Block 50-K, Lot 309, in the 10th Ward of the City of Pittsburgh (RESIDENTIAL REHAB)."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Ferlo	Mr. Onorato
Michelle Madoff	Mr. Ricciardi
Mr. O'Connor	Mr. Wagner
	(Pres't)

AYES 6

NOES none

And a majority of the votes of Council

being in the affirmative, the bills passed finally.

Mr. Ferlo presented

Bill No. 1827

Report of the Committee on General Services for January 13, 1993 transmitting one resolution to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 1785

A Resolution entitled, "Resolution requiring the Administration to notify City Council within three days of all "B" Contracts awarded by the City." (AS AMENDED IN COMMITTEE)
---(SPONSORED BY MICHELLE MADOFF)

Which was read.

Michelle Madoff:

I just received a memo, it just came to my office and I only have one copy which I gave to Mr. Ferlo because I got on to this through him, and we'll see that everybody gets it. Maybe everybody did get a copy. It's addressed to the President and Members of City Council.

As you all know, I think we won a major victory when I introduced the amendment last week that all bills that are "B" contracts would no longer remain the sole information of the Administration. But within three days of awarding any contract, we would receive knowledge of same, the name of the contractor, and the amount of the contract. And also that they would put a moratorium on issuing any contracts in excess of \$25,000 and to be sure that they were

not incremental as part of a major contract, that that would be on hold.

I find it amusing that they now, when they get caught coming to us and say, "We're wonderful, we want to cooperate." It says, as a follow-up to our discussion regarding maintenance contracts, "B" contracts, and I'm not sure maintenance contracts is the only issue here, that's why I'm raising it at this point, that bill might have to be amended. Certainly going out on a recycling contract and going up almost 900 percent from \$3.77 to \$31.60 is not a maintenance contract. It's a half million dollar contract that affects our budget, and I asked for that over and over and over again, starting months in advance saying this is going to impact on our budget. How much is it? We were never told.

So, when they say this will be regarding maintenance contracts, I'm not interested in just the maintenance on the elevators. I'm not interested in just maintaining this building. I'm interested in every single "B" contract. It is not going to bypass this Council. We're going to have the opportunity to ask questions and to vote on them. Anything of any substance. And if it's \$25,000 or under, I'm not going to panic about it. But if it's part of an incremental contract to say somebody doing McArdle Roadway paid in increments of \$15,000, I'm going to go through the roof. So, we also have to address that issue if it's under \$15,000 and they pay it and \$15,000 contracts. So, we have to sit down and really make sure that that is going to be protected.

And what the Administration is saying, it's signed by Mr. Turner, the Mayor, that maintenance contracts, "B" contracts, during this interim period, all user departments will send Mike Perry copies of the proposal acceptance letters which precede any actual work performed.

When "B" contracts are being used, the

standard City policy is to 1) define the scope of work, estimate the cost in-house. He left out that we're to give a cost range so we don't telegraph that we have this money to spend, come and get us. We no longer advertise how much we have to spend.

Request proposals from appropriate "B" contractors. I want to know what they mean by appropriate. Review proposals. Accept or reject proposals, and issue a proposal acceptance letter.

Mike Perry will be copied on all Item 6 acceptance letters for information purposes only.

Please let me know if you have any additional questions.

We are not as a body asking to hire whoever the contractor is. We don't care. That's not our business. It's not our purview. But we care that contracts are being issued without our having a chance to vote, without our having a chance to ask any questions. How would this bill on the recycling have gotten through this Council if we had the chance for that bill to come here today before us? We would have asked why, how much and so on.

Now, Mr. President, Jack Wagner, I assume that we are all in agreement. It is not just maintenance contracts on "B" contracts. I'd like that amended immediately.

I would like to waive Rule 8 on that bill, it's very important, so it comes up tomorrow.

The Chair:

We're voting on it right now.

Michelle Madoff:

I'm confusing two bills. Excuse me.

Mr. Ferlo:

I have a separate bill which I did not waive Rule 8 on.

Michelle Madoff:

I don't have anything in writing to present to this Council because I didn't get it until two seconds ago. You know how the Administration functions. When they want our opinion, they'll give it to us.

The point is that this letter says only on maintenance contracts. Not acceptable. All "B" contracts.

And I want a correction on the cost in-house to reflect my legislation which says we give a range so we don't advertise how much it will be.

And I want to be sure that the incremental issue is covered thoroughly.

We can pass the bill as is and then I will amend it again to make sure we cover all these loopholes.

My understanding is that we were supposed to get together and try to work out some of these issue. This is not a good faith message from the Administration.

Mr. Ricciardi:

Mr. Wagner, I fully support Michelle's bill. As a matter of fact, I think it's a great bill. It will add the continued safeguarding of the expenditure of tax dollars. We will no longer have to chase these contracts but the information will be forwarded to us. We're actually talking about the expenditure of a million dollars. The additional safeguard, the checks and balances and opening government up not only to City

Council but we will be able to forward this information to people who are interested in this information such as many constituents who contact us.

I think it's a good bill, it's a great bill, and I fully support it.

Mr. Ferlo:

I just want to clarify something. I appreciate the memo from Director Turner based on the discussion at the table last week and he's making a communication to Council that in this interim period, whatever that means, interim, relative to maintenance contracts he's going to be forwarding information. That's all well and good and I have no problem with that.

But the bill before us specifically states that on all "B" contracts this information must be provided, and it explains a mechanism for that information to be provided to Council as well as once the contract is initiated the actual invoices or the actual payments to be made to any contractor will be communicated to Council by the Controller's Office.

So, I appreciate the letter from Director Turner but the bill is very explicit and it states all "B" contracts. That for goods, services, procurement, professional service contracts, construction, maintenance, what have you. Period.

And I assume this becomes law, we change the effective date of legislation. So upon passage today it becomes law, assuming there's no veto, more expeditiously than in the past.

Michelle Madoff:

May I just clarify something very important? As you know, Brother Richard is not politically wise, and that's to his credit. When I

said there are \$8 million in "B" contracts to one contractor over a period of time, he said, "How long was that?" I said, "Three years." He said, "Well, in the overall scheme of things, in the millions of dollars of "B" contracts, that's not very much."

So, in keeping with the request by Councilman Dan Onorato which I think showed that he wants to vote not in a vacuum, as he pointed out, I have requested all of the "B" contracts for the last three years. And we should have them supposedly within three working days of Council. Well, by tomorrow, because they started Friday, we should have that list. I'm sure we won't. But I think it's going to be very interesting for the public to learn the multi-millions of dollars that have gone out in "B" contracts and never came to this Council for a vote or for questioning. And I think that goes to the good faith of this letter trying to say "maintenance contracts only" which is a crock. And I just want to be on record as saying that's where it's at.

The Chair:

Is there any further discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Ferlo
Michelle Madoff
Mr. O'Connor

Mr. Onorato
Mr. Ricciardi
Mr. Wagner
(Pres't)

AYES 6

NOES none

And a majority of the votes of Council

being in the affirmative, the bill passed finally.

MOTIONS AND RESOLUTIONS

Michelle Madoff moved to approve the Minutes of Tuesday, December 8, 1992 and Tuesday, December 15, 1992.

Mr. Onorato seconded the motion.

Which motion prevailed.

Mr. Ferlo moved to excuse Mr. Cohen and Mr. Darkins for absence from the meeting.

Mr. O'Connor seconded the motion.

Which motion prevailed.

The Chair presents

No. 1830 Resolution appointing Irene McLaughlin, 4307 Stanton Avenue, Pittsburgh, Pennsylvania 15201, as a City Magistrate for a term to expire January, 1995.

Which was read.

The Chair:

I would suggest that we ask Irene McLaughlin to come in front of Council at our Committee Session as soon as possible when it's convenient for her.

Mr. Ricciardi:

So moved.

Michelle Madoff seconded the motion.

Which motion prevailed.

The Chair:

That could be as early as tomorrow and then we would finally vote on it at probably the next Legislative Session.

Mr. Ferlo:

A couple unrelated points. First, I think we should inform the public and state publicly what a majority of Council have initiated in terms of earlier concern that we have expressed regarding the construction of two new fire houses, one in the Woods Run area and one on Arlington Avenue. Specifically, a majority of Councilmembers have moved based on Resolution 995 enacted last year, and we have actually met and reviewed and participated in discussion with our legal advisor, Mr. Boas, Attorney Paul Boas.

Specifically, this Thursday we will be filing appropriate legal action regarding what we feel is the Administration not following the letter of the law in the conditional use zoning process regarding the construction of these two fire stations. To wit, we are filing that legal action to ask that the Administration, that the court order the Administration to resume the letter of the law, and that is that they go back and complete the conditional use process, the zoning process which the Planning Commission and ultimately this City Council administratively must give its zoning approval to conditional use variance for the construction of those fire stations.

It was the consensus of the majority of Councilmembers who are filing this action, however, on Thursday that prior to Thursday the Administration would like to cease and desist the construction activity and resume the conditional use process, a process that they themselves initiated. Obviously, we would like to make the legal action moot.

But I would hope that maybe by the end of the day we would hear from the Administration regarding this matter, either to the Chairman of Public Safety, Mr. Onorato, or Mr. Ricciardi who has been very active in relation to the zoning issue in the South Side, or myself dealing with Lands and Buildings, or Council President, Mr. Wagner, or any other member. But we did communicate, I at least did communicate to Solicitor Conturo at the end of the day yesterday explaining to her what the parameter of our legal action is.

Again, I want to state that the merits of our legal argument do not deal specifically, nor do we propose to deal with the actual Fire Bureau reorganization. We're only relative to Council's rights and prerogatives and our obligations legislatively to approve conditional use applications pursuant to the zoning code. As part of that, however, adjoining property owners in and near the proposed fire stations also have had their rights abrogated because they have not had an opportunity formally to challenge or raise concerns regarding the construction activity. So, basically, it's limited to those parameters we've outlined.

The Chair:

I would just like to add, and I support what Council is doing here --

Michelle Madoff:

Have you signed it?

The Chair:

No, I have not signed it and I'm stating my reason right now. I fully expect anyone that we're employing to analyze and to initiate legal action to provide a report to Council based on the analysis of the situation and the intent prior to doing anything publicly. And I would hope that

that attorney would do that to all Members of Council so that it is part of the public record because the person is being employed by the public with taxpayer dollars. Consequently, I think that's very important on this issue because it is a sensitive issue.

Mr. Ferlo:

I have no problem asking Mr. Boas to explain in legal format what the parameters of this legal action will be tomorrow. I have no problem with that.

The Chair:

And I believe it should be written to all Members of Council and made available to the public.

Mr. Ferlo:

I agree.

Michelle Madoff:

My understanding, and I'd like permission to address my colleague, is this not just we're studying and just looking at the process, that the process was bypassed, go according to the rules.

Mr. Ferlo:

Exactly.

Mr. Onorato:

Mr. President, are you asking for the memo before tomorrow?

The Chair:

Yes. I believe before any legal action is taken, due to the fact that we are employing this

person, that that person should lay the ground work of what the will of Council is and their analysis of the situation and the plan of action.

Mr. Ferlo:

Mr. Wagner, just a point of information so that nobody is confused on this issue. There was actually a formal meeting, as you all know.

The Chair:

It was an informal meeting, in a sense, because the public was not part of it.

Mr. Ferlo:

When I say formal I mean all Councilmembers were communicated to.

The purpose of that meeting, it was very clear at that time, pursuant to our powers and prerogatives entertaining the hiring of this consultant, in this case a legal advisor, that legal advisor being Mr. Boas, gave a lengthy explanation and explained the parameters of what the legal action will be. The Administration engages in legal activity and does not privy us to the legal strategy employed by them regarding their prerogatives, and so it's very clear that that explanation was an oral explanation and an update to Council regarding this action.

I have no problem and I will, by the end of the day, provide all of Council, addressed to the President and Members of Council, the information you requested. I just don't want it to appear that somehow something is happening that nobody knows about.

The Chair:

And I don't want anyone to think there's any disagreement within Council. I just don't want us to be accused of the same thing the

Administration is being accused of.

Mr. Ferlo:

No problem whatsoever.

Mr. Onorato:

On a different issue. As a follow up to the incident that took place at River Rescue last week, a lot of you have heard that there wasn't a diver at the site and a civilian helped a police officer go out in the boat and rescue an individual. The civilian was Peter Werowinski and he was given an award yesterday over at River Rescue by the Paramedics Union and he will be in here hopefully next Tuesday. I will be presenting a resolution on his behalf.

But I would just like to do a follow up to the situation. I had a meeting with the Director of Public Safety, Lou DiNardo, and Chief Kennedy, head of the EMS, last week regarding the situation, and they agreed to move forward with discussions with the Fish Commission who, by State law, have the policing powers of our river. Also, the Army Corps of Engineers and the Coast Guard to discuss the period that we do not cover the rivers full-time, which is only about 30 percent of the time. I discussed with these three groups the possibility of funding and helping fill in the gap of the area that we don't cover.

We all realize that we're dealing with a tight budget, but I think that if we're committed to our rivers, the safety, we have to look at other ways to fill that period that we're not covering it. We have one State function here and two Federal funded organizations that might be able to help us. They both agreed to explore those possibilities and will get back to me in about two or three weeks.

The Chair:

Good. Great idea.

Mr. Ferlo:

First of all, I think all of us on Council and certainly many of us in City Hall want to thank the gentleman. The individual citizen I believe is from the North Side who engaged in heroic activity with the paramedics and others who are engaged in the River Rescue activity.

Setting that issue aside, I'm very upset about the incident. My first reaction is, why did this Administration and this Mayor and this Council agree to build a multi-million dollar facility on the riverfront that is not going to be staffed or have operations throughout the year? I feel that this Council is lead down the primrose path. I didn't vote in favor of constructing the center, and I still don't favor the construction of the center. But this Administration made a commitment that they were going to seek funding, this was over two years ago, from some of the other agencies that Mr. Onorato mentioned. I would like to better understand what the policy is.

While I certainly applaud the heroic efforts of the citizen, the individual, there is a liability here regarding what had happened. God forbid something would have happened to the individual citizen. Fortunately, it did not happen, but that's a hell of a way to run City Hall and run City services, to rely on citizens jumping aboard. And again, that's not to detract in any way from the heroic effort of the individual. I'm very upset about the incident and seeing it reported.

As far as the River Rescue Center itself, I think Council should reconvene the whole discussion around the purpose of this Center, how it's staffed, what the other in-kind contributions are going to be for the operations of

the Center.

I mean, we're not responsible for the river. I hate to bring up the old issue since I voted against it, but you know, we have a hard enough time policing our streets, and all of a sudden somebody decided we have to be responsible for the rivers. We're not. We're not legally responsible and I think we've opened ourselves up to legal liability.

So, if we're not going to staff that Center, close it. Or staff it. Do one or the other.

The Chair:

If I could comment, and I'm pleased that Councilman Onorato is pursuing this and looking in with other agencies of government.

I have supported the River Safety Center. I was the strongest proponent of the City buying boats and having those boats staffed when we had none. Obviously, the situation last week worked out in a favorable sense. However, it could have been a tragic accident.

There is a responsibility to State government again here. The responsibility of the rivers does fall under the Fish Commission. That has not been relinquished to this City. However, the City has, I think, filled the void in absence of them taking total responsibility for rescue operations on our rivers. I think there needs to be something worked out, and I believe that's what Councilman Onorato is pursuing, where we would have a responsibility for a portion of the year and possibly have it supplemented not just during the summer months but also during the winter months with the Fish Commission and the Coast Guard. And I think really, ultimately, that's the best arrangement that could occur rather than the City taxpayers again funding something totally that is a regional concern and a regional problem.

And I just want everyone to know that we need a River Safety Center and we need to work something out also with the higher levels of government.

Mr. Onorato:

Mr. President, to comment on both your comments and Councilman Ferlo's, everyone agrees with the idea of having patrols on our river, but we just disagree on the funding. We all realize that we have a tight budget and the City shouldn't be paying for this. You're speaking of regional, Councilman Ferlo is speaking with the ability that we decided that someone should patrol the river all of a sudden, and now it's a big burden. That's why we have to deal with the Fish Commission and the Coast Guard, because they are the State and Federal governments and they do have a jurisdiction over our rivers and they should participate. I would guess that we could probably talk with the County too. I know they have boats on the rivers outside of the City.

So, this is one area where the City is patrolling full time in the summer and, ironically, so is the Fish Commission. That's when they're on duty, the same time we are. So, we could hopefully stagger the patrol here without costing the City any money.

Mr. Ferlo:

If we're going to talk about money, let's get all these great State Legislators involved in this issue.

Setting aside my concern about the fact that we had hard enough time providing police visibility and foot patrol, and that's one of my concerns about spending over \$2 million building a River Rescue Center. That's not to say that I didn't want to see boats and other kinds of public safety on the rivers. But we built the

equivalent of a regional facility. And that regional facility has the ability at least, because it's on the rivers, of not just providing protection to the immediate three rivers within the confines of the City. It's basically a regional facility and most of the things that happen on the rivers, either in terms of barge or commerce or events of a recreation nature, are regional in nature.

I don't see why the State Legislature can't say we're going to add \$1 or \$2 to 28,000 or 40,000 boat licenses that there are in Allegheny County, whatever the heck the number is these days, it's a large number, Mr. Wagner, as you can probably state, and that money be a dedicated source of revenue to subsidize this facility.

So, let's get these great Legislators who make twice as much money as us, let's get them working on an issue and try to bring some revenue back in the City. I don't think people who have a boat license out there would mind a couple dollars added on to their tab for an annual license to help fund this regional source. The County government should be helping to fund this regional facility in addition to the Federal and the State agencies that Mr. Onorato mentioned. So, all these great Legislators who are running for public office, let's bring home the bacon and let's do something for this City.

Michelle Madoff:

Moving on. All this conversation leads me right into what I want to talk about. The public and this Council may recall, and I guess it's over two years ago, I came to Council and I was quoted in the paper in a headline saying that we need to bring in the National Guard and I was an alarmist and things weren't that bad. I said that from what I have witnessed first hand going out into Westgate and seeing the shootings, mothers dropping their children under cars, bullet holes in the cars and houses, people sitting in the houses and bullet holes over the senior citizens' heads,

that we were at war, and that this was just the tip of the iceberg and things were going to happen.

Well, what has happened, we haven't had any newspapers, unfortunately, and what's happened is that we only hear a blurb. If you're listening to the radio to music and you just turn on the news occasionally, I'm a news junkie so I listen to it all the time, but you hear drive by shooting - somebody shot in the elbow - a child shot. Yesterday it was schools. They were shooting at kids through the windows in schools. And people were pleading for help.

I want to read a letter from my district so we understand that this is not just in isolated areas and we don't just blame certain segments of the community and the Afro-American community because that's not what it is all about. This is a letter to me. It's dated the 15th.

"Councilwoman Madoff:

I am writing this letter to you because I believe that you have the best interest of Pittsburgh at heart.

Last night my 21 year old son was viciously attacked by ten youths at approximately 9:30 p.m. while waiting for a bus on Wood Street in Downtown Pittsburgh.

I think it is outrageous and unbelievable that this type of thing can happen in the middle of Pittsburgh. I am shocked that there is not adequate police protection to prevent this type of thing from happening.

If the City is unable or unwilling to provide necessary police protection, then I think the City should impose curfews to keep the gangs of youths off the streets."

Well, we all know that I'm still pursuing the curfew and we have a new bill, you know the

one I didn't use my stamps for to send out because we're waiting for responses from other communities like Monroeville.

We have a draft that will be introduced a week from Tuesday, prepared by an attorney and his class, and it is a curfew that we believe will withstand the First Amendment and will not target any special community. We'll hear about the bill.

But I want to point out that this goes beyond curfew. Number one, I would like to ask that as Council we make a motion to ask McDonalds and the two Downtown stores to close after a reasonable hour, say 8:00, so that on cold nights this doesn't become a hand out Downtown. This is unfortunately the situation. And during the warm weather they congregate outside. There is nothing else to attract them to the two Downtown areas basically.

The other thing that I think we need to point out is that on the news yesterday, I only heard it fleetingly, the people were pleading for help in the communities that were directly affected. We must have the Administration put additional police into those communities that fear to go out their door, afraid their children will be shot on the streets. This cannot keep. This cannot wait until something happens and somebody gets around to it.

My motion is that we request from the Administration that additional police be immediately put into those areas that are having the most trouble.

My office is preparing, as we speak, a break down sequentially of those areas most affected of the 88 districts. One of the districts in my area which is West End-Elliott, I think falls about 16th of the 88. So, we're not talking just special communities. And the problem is, as you know, some of our high tax districts that keep the

City viable, that mean that we can pay our taxes and keep taxes down for everybody else, two of our major crime areas surround some of our --

The Chair:

Your motion is what?

Michelle Madoff:

My motion is that the Mayor immediately put additional police into the areas most affected immediately, like in ten minutes, and that we get round the clock police visibility in those areas. It has to be done. We owe that to the people. Visible presence for 24 hours a day.

Mr. Ferlo:

I'll second it for the purpose of discussion.

My problem with the motion is, what the hell does it mean? The Administration is supposedly, at their own comments at this table, their position is we indeed deploy our resources to the appropriate areas where there is the highest crime.

I have no problem supporting the motion, but it's another empty gesture. I would suggest, and I share Michelle's concern and I'm even at the point right now where I'm thinking of supporting a curfew which I'm fundamentally opposed to but I think it has reached such critical state, as Michelle has talked about and other Councilmembers.

I would rather see, through maybe the Public Safety Chairman, Mr. Onorato, and with Michelle, that we reconvene a meeting with the police in a Wednesday session, and Director DiNardo, and we specifically talk about what's happening with the current hiring. I don't have the memo here from Director Turner that Mr.

Onorato had sent me around Christmas time giving a timetable of deadlines. Well, you can throw that thing in the waste basket because that's all hullabaloo.

I think we should return and get an update from the Administration on what the actual --

Mr. Onorato:

Make it clear that it wasn't my timetable.

Mr. Ferlo:

No, that you had forwarded to Council Mr. Turner's signed in blood commitment regarding police hiring which is a bunch of baloney.

But what I think we should do is find out exactly where the hiring is at, when the hiring happens where are people going to be deployed. I appreciate Michelle singling out this one incident in the Downtown at 10:30 but I represent Zone 5 and I have maybe 15 other horror stories. Mr. Onorato has horror stories. Mr. O'Connor has horror stories. Mr. Ricciardi, Mr. Wagner, every one of us.

Let's do this in a way that really deals with fundamentally what the problem is and that is right now we're 80 plus understaffed. We're not going to even reach 1,175. But when we do reach 1,175 this Council has made a commitment for additional police above and beyond that number. Where are we at with police hiring? When is it going to happen? And when it does happen, where are these individuals going to be deployed? I think that should be the debate. We have to hold the Administration's feet to the fire.

The Chair:

Councilwoman Madoff, I would ask that we withdraw this motion and let Councilman

Onorato orchestrate a post agenda to talk in great detail about the numbers of police.

Michelle Madoff:

I have no problem with that but I'd like to address the issue further.

I just want to clarify that some districts have larger populations than others. And what we're trying to do at this point is to do percentages based on population. In other words, you get a community and you say, "God, they have a tremendous amount of crime." But when you take the population and you divide the crime by the numbers, it is not as high, as I said, as one of the small isolated communities in my district.

Also, I support everything that Mr. Ferlo has said but I think the reason we all bring these issues up repeatedly, even though they're not addressed, is that we have to focus on the issue and not let it die. If we don't talk about it, it doesn't register. For the longest time Mayor Masloff, not to be confused with Madoff, said there were no gangs, that we didn't have a problem. So, we need to bring home that the problem is not only there but it is getting worse.

Mr. Onorato:

Let me say this real quick, and then you can continue, Michelle.

I agree with Director DiNardo on a weekly basis, and I agree with you. The police issue and the hiring is the number one issue. It boggles my mind that it takes this long.

I'll be willing to call an emergency post agenda and talk with Director DiNardo tomorrow after the session, if we can all make it.

Michelle Madoff:

I'll make it.

Mr. Onorato:

As long as the Director is available, we'll do it tomorrow. I'll let you know this afternoon.

Michelle Madoff:

We have one problem. There are two members out of town.

The Chair:

I want to make one other point very clear here, because the media is sitting here in these Chambers right now. This Council is not suggesting store hours for any business in the City.

Michelle Madoff:

I am. I will personally contact McDonalds and ask them.

The Chair:

You may be individually, but this Council as a body is not.

Mr. Onorato:

Let me just finish on that issue, real quick. I would just like you to reconsider the request for store hours, and here's why. One, if you close down the McDonalds or whatever institution, you just add to the perception of a ghost town in Downtown Pittsburgh.

I would ask you to ask McDonald's ownership to provide security guards or provide more because the safety is increased by stores opened Downtown, not by closing them. The

more we can keep open, the perception of safety - When I'm walking Downtown, I like to see the stores open. And I think it would be counterproductive to close stores in response to gang violence.

Michelle Madoff:

I think your point is well taken and I basically agree with what you're saying. And you know, I really admire what you do and I would be delighted to work with you and this and I will see that you get a copy today of the legislation that we're waiting for to review and what came out of the Monroeville City Council.

But that gets to the most important part of what I'm talking about today, and I hope I won't offend the President of Council. What good is it when we talk about, when we have on cable the bills that are being read into the record and we vote on the existing bills, but we don't have the cameras there when we discussed the vital issues of this Council. The post agendas are the guts of this Council. If you're going to do a post agenda tomorrow, we have not passed legislation to ask for by a five member vote or the permission of the President of Council, which is what I asked for originally, to have this information on cable.

So, I would suggest that if we can't get that through today, that you make it into a public hearing and make it into a major issue because the public is interested. We didn't have newspapers when I tried to have a hearing on it before because it will not be publicized that we are trying to do something and we won't have the input from the public and the public won't be able to contribute or hear what's going on. It's open to the public and they can come down tomorrow. You know what happens, there's not enough notice, number one, even if we wait a week.

Mr. Ferlo:

Make a motion that we televise --

Michelle Madoff:

I've already made that motion and I was severely chastised and I will again say let's televise tomorrow's meeting, the post agenda.

Mr. Ferlo:

Televise the formal public hearing.

Michelle Madoff:

I can't because it's Mr. Onorato. Would you change that to a hearing so we can televise it and we don't have enough time so it would have to be ten days.

Mr. Onorato:

I think if we're having an emergency meeting tomorrow, I don't know if we have the time to televise it. I have no problem with televising it.

Michelle Madoff:

Do you understand what I'm saying? That this is the most important information of this post agenda, and the public will not be privy to it.

Mr. Onorato:

I understand that, Michelle. If we could televise it, that's fine with me. If we can't, I think we should still have the post agenda.

Michelle Madoff:

I would suggest, since we've had 14 post agendas on the same subject and nothing has happened because the pressure of public opinion

has not been brought to bear on the Administration, that what we do is wait ten days, advertise it, and do it as a public hearing. We would do it as a post agenda-public hearing. We need to change the process.

What we do is we sit there and let the public ventilate on their soap box, they go out feeling good, those that came, but nothing is accomplished. We need to have some dialogue with the Administration where the public is privy to know what's going on. And if you colleagues can figure out a way of prevailing on the President of Council to do it, I'd appreciate it.

The Chair:

Okay, we're all over the board here on issues, and I don't really want to get into an argument here or a difference on procedure. I've clearly indicated what is necessary to make sure that things are televised or not televised here. The whole world knows about it. I don't want to elaborate on it again.

So, let's stick to a specific issue and a specific issue only.

Mr. O'Connor:

What just came up reminds me that last week I was at a meeting of the Squirrel Hill merchants, which is probably one of the more affluent, nicer areas in the City. Their concerns were exactly the same thing. But we are planning to fight it a little differently. They're asking for street patrolmen. We're asking them to keep their stores open later, and the evenings they're closed to keep their lights on so that it shows a perception that they're busy and thriving and people feel safe.

You mentioned McDonalds, and I happen to work for Roy Rogers so I'll put a plug in for them, but I think we have to thank

McDonalds because they stay open late and I think we need places to stay open late to have traffic. They do pay security guards, which I don't think they should, but they do anyhow.

You're talking about a post agenda and we want police on the street, I'll give you an answer. I think we ought to call McDonalds and call Wendy's and ask their managers, because I know how to schedule. And I think half of the problem with our police is poor scheduling. I've looked at some of the charts and there's a lot of police out there on the record, I know there's some off. If they could learn from private business, and I'll show them, and if you have a post agenda I would like on there to make sure that we look at scheduling and how it works and I would like a few minutes to show them how I think we could make them a lot more productive. I think that's half the battle. --

Michelle Madoff:

Would you like the public to know about this meeting?

The Chair:

Councilwoman Madoff, Councilman O'Connor has the floor.

Mr. O'Connor:

The public knows the problem. I think it's up to us to try to solve the problem. And if we sit down with the director and the Police Chief and work it out, I think we can all learn a lot and maybe make them do a more productive job and get the people back on the street and doing their jobs and in the right places.

Also, I think we're missing something on this police force. Who is accountable? Were you said ten people beat up somebody, who was stationed at that area? You're talking about

Market Square. Who was the policeman in charge? Was he drinking coffee? --

Michelle Madoff:

Station One.

The Chair:

Excuse me. If there are any more interruptions, the meeting will be adjourned.

Michelle Madoff:

He just asked me a question and I

answered him.

The Chair:

One more and the meeting is adjourned.

Michelle Madoff:

He asked me.

The Chair:

The meeting is adjourned.

Council adjourned.

MUNICIPAL RECORD

Proceedings of the Council of the City of Pittsburgh

VOL. CXXVII

Tuesday, January 26, 1993

No. 4

Municipal Record

ONE-HUNDRED TWENTY-SEVENTH COUNCIL

JACK WAGNER President
MICHAEL PERRY City Clerk
LINDA M. JOHNSON-WASLER Asst. City Clerk

Pittsburgh, PA
Tuesday, January 26, 1993

PRESENT:

MR. COHEN	MR. O'CONNOR
MR. DARKINS	MR. ONORATO
MR. FERLO	MR. RICCIARDI
MICHELLE MADOFF	MR. WAGNER
	(Pres't)

The Meeting was opened by the recitation of the Pledge of Allegiance to the Flag of the United States of America, and a moment of silent prayer for peace throughout the world.

I pledge allegiance to the Flag of the United States of America and to the Republic for which it stands, one Nation, under God, indivisible, with liberty and justice for all.

PRESENTATIONS

Mr. Cohen presents

No. 1853 WHEREAS, low income families pay about 13.2 percent of their incomes for energy, which is over four times the amount spent by the typical middle income American family; and

WHEREAS, recent economic stress has caused rising widespread unemployment and has resulted in a greater need for energy assistance than ever before; and

WHEREAS, the federally funded Low Income Energy Assistance Program provides for the vital energy needs of low income families and senior citizens and is one of the few such programs available to the working poor; and

WHEREAS, the Peoples Natural Gas Company, Equitable Gas Company, and Columbia Gas Company assist eligible customers in applying for and securing LIHEAP funds to directly pay for natural gas used to heat homes and cook food and has provided an 800 number and a program staff to help low income customers.

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh commends the Peoples Natural Gas Company, Equitable Gas Company, and Columbia Gas Company for their low income assistance programs and coordination with the

Low Income Home Energy Assistance Program;
and

BE IT FURTHER RESOLVED, that the Pittsburgh City Council urges the United States Congress and the Commonwealth of Pennsylvania to maintain and increase efforts to adequately fund this essential program to ensure that all residents of the City have sufficient home heating fuel.

Mr. Cohen moved to adopt the resolution.

Mr. Ferlo seconded the motion.

Which motion prevailed.

Mr. Cohen:

Members of Council, as all of you know, this is a very important program that all of the gas companies in the City of Pittsburgh provide. Particularly, now that we have a new administration, I think it's very important that we make sure that the federal funds for this program continue and maybe even increase.

So, I thought it was appropriate to bring up here some representatives from the gas companies who have been involved in the LIHEAP Program to say a few words. We have from the Peoples Natural Gas Company, Sadie Kreck and also Karen Fiola and Toby Malonga. We have from Equitable Gas Company, Mr. Mike Stack. And we have from Columbia Gas, Maureen Sherben.

Ms. Kreck:

Thank you very much for recognizing us for our efforts.

The three gas companies have worked very hard this year to inform the low income customers about the programs that are available.

Although the Basic Energy Assistance Program closed last Friday, there are still crisis funds available and if you know anyone who could use these funds we urge them to apply as they may run out early.

We also urge people to apply for the non-profit dollar energy fund. Any one of the three gas companies can help the customers complete the forms or do whatever is necessary, if they need special arrangements. We do want to work with them.

Again, thank you very much.

The Chair:

Thank you all for coming.

Mr. Onorato:

I'd like to have Peter Werowinski come up at this time.

Colleagues, a lot of you might remember two weeks ago the incident that took place of the individual jumping off the bridge right in front of River Rescue and a civilian hopped on the boat with the police officer to rescue him. Well, Peter is that civilian and today I'd like to have Council recognize his heroic effort for the City of Pittsburgh.

Mr. Onorato presents

No. 1854 WHEREAS, Peter Werowinski is originally from West Brook, Connecticut and has been living in Pittsburgh for about a year; and

WHEREAS, Peter Werowinski lives on the North Side and attends the Art Institute of Pittsburgh where he studies Industrial Design and

WHEREAS, Peter was coming home from school one night and saw a man in the river; and

WHEREAS, Peter ran down to the River Rescue, knocked on all of the doors and found Officer Marty Joyce there alone; and

WHEREAS, Mr. Werowski volunteered to help, put on a dry suit, got into the boat with Officer Joyce and assisted in saving the gentleman in the water.

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh hereby recognizes the heroic and selfless efforts of Peter Werowski; and

BE IT FURTHER RESOLVED, that the Council commends and applauds Peter Werowski for putting the welfare of a fellow citizen above his own.

Mr. Onorato moved to adopt the resolution.

Mr. Cohen seconded the motion.

Which motion prevailed.

Mr. Onorato:

At this time I'd like to have Peter say a few words but I'm proud to have someone in Pittsburgh do something like this and show that there is a lot of good in people yet, especially in a day when you're hearing a lot of problems on the news.

Peter, thank you.

Mr. Werowski:

I'd like to thank Council for this plaque and I'd like to share this with Officer Marty Joyce who helped me in the river rescue.

Mr. Ferlo:

With Mr. Onorato's permission, I think we should amend the proclamation and make it "Peter Werowski Day" in the City of Pittsburgh.

Mr. Cohen seconded the motion.

Which motion prevailed.

Mr. O'Connor:

It looks like he's a man of few words and a lot of action.

The Chair:

Thank you, Peter. Great job.

Mr. Onorato presents

No. 1855 WHEREAS, Fred P. Hornberger was born in 1904 in Alsace, Germany and immigrated to the United States in 1927; and

WHEREAS, Mr. Hornberger was introduced to Teutonia Mannechor in 1944 and was Secretary for the organization for one year, Vice President for sixteen years, and was voted Honorary President as a lifelong tribute in 1977; and

WHEREAS, Mr. Hornberger aided in developing the "Teutonia News" and in 1957 became its editor; and

WHEREAS, Mr. Hornberger was an organizer and chaired several anniversary committees and the entertainment committee for many years; and

WHEREAS, Mr. Hornberger's volunteer

work for the club has included the role of substitute steward and bartender, always on short notice; and

WHEREAS, Mr. Hornberger has continually made the City and community more aware of the German community's activities and helped to proclaim the original German Settlers' Day in 1962 and to organize its first ball; and

WHEREAS, Mr. Hornberger was instrumental in starting a local drive for petitions supporting the issuance of a postage stamp honoring the first German settlers; and

WHEREAS, Mr. Hornberger is a kind, intelligent, gentle man — a man for all seasons.

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh recognizes the hard work and effort of Mr. Fred P. Hornberger for all he has given to Teutonia Mannerchor.

Mr. Onorato moved to adopt the resolution.

Mr. Cohen seconded the motion.

Which motion prevailed.

The Chair presents

No. 1856 WHEREAS, on Saturday, January 23, 1993, the Board of Managers of Soldiers and Sailors Memorial Hall and the Vietnam Veterans Leadership Program of Western Pennsylvania will sponsor a formal induction program for Donald Bailey as his name is placed at the Hall of Valor in Soldiers and Sailors Memorial Hall; and

WHEREAS, Don Bailey's life has been dedicated to public service, including service to his country during the Vietnam War where he was assigned to the 101st Airborne Division in

Northern I Corps; and

WHEREAS, Don Bailey received several awards for bravery in combat including the Silver Star for gallantry in action during a reconnaissance mission in Quan Tien Province, Republic of Vietnam, on July 8, 1969; and

WHEREAS, Lieutenant Don Bailey, serving as platoon leader, moved through intense enemy fire to relieve the pressure on an ambushed platoon; and

WHEREAS, because of Don's leadership, the ambushed platoon began returning effective fire toward enemy positions; and

WHEREAS, Don's courageous actions helped to avert many casualties; and

WHEREAS, after serving his country, Don Bailey continued his career in public service when elected to the United States Congress in 1978, serving two terms and as Auditor General of the Commonwealth of Pennsylvania from 1984 through 1987; and

WHEREAS, the Hall of Valor was dedicated in 1963 as part of the military history museum to honor veterans of Allegheny County living and dead, for valor "above and beyond the call of duty".

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh extends congratulations to Don Bailey and his family on his induction into the Hall of Valor at the Soldiers and Sailors Memorial Hall and

BE IT FURTHER RESOLVED, that the Council of the City of Pittsburgh designate January 23, 1993 as "Don Bailey Day" in the City of Pittsburgh in recognition of his gallant effort

to his country in the Republic of Vietnam.

Mr. Cohen moved to adopt the resolution.

Mr. Ferlo seconded the motion.

Which motion prevailed.

The Chair presents

No. 1857 WHEREAS, Patrick F. McNamara is the recipient of the Catholic War Veterans of the U.S.A., 20th Chapter and the Ladies Auxiliary "Man of the Year" Award; and

WHEREAS, Patrick F. McNamara is a shining example of the American success story, having been born to Irish immigrant parents who settled in the Oakland section of the City of Pittsburgh, where he still lives today; and

WHEREAS, Patrick F. McNamara is considered strictly an Oaklanite, having attended St. Paul's Cathedral Parochial School and having graduated from Central Catholic High; and

WHEREAS, following high school, Pat joined the U.S. Army, serving for two years, and after his discharge Pat joined the City of Pittsburgh Police Force, following the footsteps of his father who was a Special Policeman and his brother who was involved in law enforcement; and

WHEREAS, in 1972 Pat became involved with the Fraternal Order of Police, Local Fort Pitt Lodge No. 1, serving in various positions, and in 1978 Pat was elected President of the FOP Lodge No. 1 and continues to hold that position today, having the distinction of holding this office longer than any President preceding him; and

WHEREAS, Pat was appointed Police Lieutenant in 1979 and is currently assigned to

the Zone 6 Station; and

WHEREAS, throughout his career, Pat has received many accolades and awards and devotes much of his time to the F.O.P.; and

WHEREAS, Pat's brothers, James, Stephen and John, are all involved in law enforcement and have contributed substantially to the success story of Patrick McNamara.

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh does hereby recognize Patrick F. McNamara as the Catholic War Veterans 20th Chapter and Ladies Auxiliary "Man of the Year"; and

BE IT FURTHER RESOLVED, that in conjunction with the "Man of the Year" Award, the Council of the City of Pittsburgh hereby declares Saturday, January 23, 1993 as "Pat McNamara Day" in the City of Pittsburgh.

Mr. Cohen moved to adopt the resolution.

Mr. Ferlo seconded the motion.

Which motion prevailed.

Mr. Cohen presented

No. 1831 Resolution authorizing a Cooperation Agreement or Agreements with the Urban Redevelopment Authority of Pittsburgh providing for the transfer of an amount not to exceed \$1,370,000 to the Authority to be used for streetscape improvements in the Penn-Liberty Cultural District, chargeable to and payable from Penn-Liberty Cultural District Street Improvements.
(Council District No. 6)

Also,

No. 1832 Resolution providing for the filing of an application for financial assistance with the Pennsylvania Department of Community Affairs for a grant in the amount of \$169,000 under the Recreation Improvement and Rehabilitation Act Program for riverfront improvements tot he North Shore East Riverfront Park and authorizing certain other related actions. (Council Districts No. 1 & 6)

Also,

No. 1833 Resolution authorizing a Cooperation Agreement or Agreements with the Urban Redevelopment Authority of Pittsburgh providing for the transfer to the Authority of an amount not to exceed \$200,000 to be used for riverfront improvements along the North Shore of the Allegheny River, chargeable to and payable from Allegheny Riverfront Improvements.
(Council Districts No. 1 & 6)

Also,

No. 1834 Resolution authorizing a Cooperation Agreement or Agreements with the Urban Redevelopment Authority of Pittsburgh providing for the transfer to the Authority of an amount not to exceed \$100,000 for the Downtown Top Shops Program, chargeable to and payable from Top Shops Program. (Council District No. 6)

Also,

No. 1835 Resolution authorizing a Cooperation Agreement or Agreements with the URA of Pittsburgh providing for the transfer to the Authority of an amount not to exceed \$238,000 to be used to reconstruct part of Highland Avenue, chargeable to and payable from Highland Avenue Reconstruction.
(Council District No. 9)

Also,

No. 1836 Resolution authorizing a Cooperation Agreement or Agreements with the URA of Pittsburgh providing for the transfer to the Authority of an amount not to exceed \$40,000.00 to be used to defray the cost of financial services required in connection with the Authority's housing bond issues, chargeable to and payable from Housing Administrative Services.

Which were severally read and referred to the Committee on Planning, Housing and Development.

Mr. Darkins presented

No. 1837 Resolution granting unto Abe Bernstein Clothing, Inc. with an address at 807 East Carson Street, Pittsburgh, PA 15203, their successors and assigns, the privilege and license to construct, maintain and use at their own cost and expense, one double-faced business identification sign in the right-of-way of East Carson Street in the 17th Ward, 3rd Council District of the City of Pittsburgh.

Which was read and referred to the Committee on Public Works.

Mr. Ferlo presented

No. 1838 Resolution empowering the President of Council to hire two (2) as needed employees, who will work no more than 32 hours per week, and expend a portion of the allocated salary budgeted in the 1993 Council District 6 staff allowance. Employees shall be supervised by the City Clerk. Their duties shall be limited to office/phone coverage to fulfill constituent services in Council District No. 6.
---(SPONSORED BY MR. FERLO)

Which was read and referred to the Committee on

Finance.

Mr. Ferlo moved to suspend Rule 8 by providing for consideration of the bill only until or after the 8th calendar day following the meeting in which the bill was introduced so the bill will be on the agenda this Wednesday.

Mr. Ricciardi seconded the motion.

Which motion prevailed.

Also,

No. 1839 Resolution providing for the letting of a Contract or Contracts, or to exercise against existing contracts, for various repairs and renovations to City facilities at a cost not to exceed \$200,000.00, chargeable to and payable from Capital Account 3-30-01-0003-93, Index Code 830406, Bureau of Repairs and Operating Maintenance, Department of General Services.

Which was read and referred to the Committee on General Services.

Mr. O'Connor presented

No. 1840 Resolution transferring the amount of \$1,000.00 from Code Account 1856, Repairs, Pittsburgh Zoo, to Code Account 1851-1, Premium Pay, Pittsburgh Zoo, all in the Department of Parks and Recreation. The effective date of this transfer will be retroactive to December 31, 1992. This transfer is part of the 1992 appropriation.

Also,

No. 1841 Resolution transferring the amount of \$300,157.00 from Code Account 1843, Senior Citizens Program to Code Account SCPTF, Senior Citizens Program Trust Fund in the Department of Parks and Recreation. This transfer is necessary to enable the Department to

pay rents and salaries in connection with the Senior Citizens Program.

Which were read and referred to the Committee on Finance.

Also,

No. 1842 Resolution providing for a Lease or Leases and/or a License or Licenses for the use of certain property for a Community Recreation Center located at 200 Tabor Street, 12th Ward, at a yearly rental cost not to exceed \$9,300.00, payable from Code Account 1801, Misc. Services, Dept. of Parks and Recreation.

Also,

No. 1843 Resolution providing for a Lease or Leases and/or License Agreements for the use of certain property for Senior Citizen Facilities and/or Management Agreements for the provision of center services to senior citizens in an amount not to exceed \$201,222.00, chargeable to and payable from (SCPTF), Senior Citizen Program Trust Fund, Department of Parks and Recreation.

Which were read and referred to the Committee on Parks and Recreation.

Mr. O'Connor moved to suspend Rule 8 by providing for consideration of the bills only until or after the 8th calendar day following the meeting in which the bills were introduced so the bills will be on the agenda this Wednesday.

Mr. Cohen seconded the motion.

Which motion prevailed.

The Chair presented

No. 1844 Resolution authorizing the Mayor and the Director of Finance, for and on

behalf of the City of Pittsburgh, to enter into a Lease Agreement with the Public Parking Authority of Pittsburgh, for the area underneath that certain block bounded by William Penn Place, Oliver Avenue, Smithfield Street and Sixth Avenue, in the 2nd Ward, City of Pittsburgh, for a term of 40 years at a rent of One Dollar (\$1.00) per year.

Also,

No. 1845 Resolution providing for the issuance of a warrant in the amount of \$12,000.00 to Michael Moeslein and Mary Moeslein, his wife, c/o Anita J. Amato, Esquire, their Attorney, Evans, Portnoy & Quinn, One Oxford Center, 36th Floor, 301 Grant Street, Pittsburgh, PA 15219-6401, in full and final settlement of alleged property damage due to excessive water flow after heavy rainfall on Lopella Street, in the City of Pittsburgh, payable from Code Account No. 46, Judgments.

Which were read and referred to the Committee on Finance.

Mr. Cohen moved to suspend Rule 8 by providing for consideration of the bills only until or after the 8th calendar day following the meeting in which the bills were introduced so the bills will be on the agenda this Wednesday.

Mr. Darkins seconded the motion.

Which motion prevailed.

Also,

No. 1846 Resolution providing for the filing of a petition or petitions for the sale of certain property or properties, acquired at tax sales in accordance with Act No. 171 of 1984, "Second Class City Treasurer Sale and Collection Act", effective December 11, 1984.

Also,

No. 1847 Communication from Melanie J. Smith, Director, Dept. of Personnel and Civil Service Commission, requesting approval for John Turyan (a non-City employee) Chair of the Pittsburgh Private Industry Council, to attend the January 9 and 10, 1993, National Association of Private Industry Councils Board of Directors meeting in Washington, D.C. at a cost not to exceed \$482.00, chargeable to and payable from JTPA-1 Trust Fund.

Which were read and referred to the Committee on Finance.

Also,

No. 1848 Communication from Michael Perry, City Clerk, submitting the Fourth Quarter travel reports for 1992 from various departments.

Which was read, received and filed.

Mr. Ferlo:

Mr. President, since you waived Rule 8 on that initial bill regarding the parking, is the Mellon Square?

The Chair:

That was a request by the Administration to waive Rule 8.

Mr. Ferlo:

Could we make sure the Directors are here tomorrow?

The Chair:

Which ones are you requesting?

Mr. Ferlo:

In particular the Parking Director who is not often times in Chambers. But we should make sure that the Parking Authority Director is here also.

The Chair:

The Executive Director, Jeff Lieber. Anyone else?

Mr. Ferlo:

Also, we should have a copy of this lease, if we could please receive that. Thank you.

The Chair:

Mr. Perry, we should have that sometime today.

UNFINISHED BUSINESS

The Chair presents

No. 1830 Resolution appointing Irene McLaughlin, 4307 Stanton Avenue, Pittsburgh, Pennsylvania 15201, as a City Magistrate for a term to expire January, 1995.

Which was read.

Michelle Madoff moved to approve the appointment.

Mr. Cohen seconded the motion.

Mr. Ricciardi:

Mr. Perry, when you read the appointment, you mentioned a term to expire when?

Mr. Perry:

1995.

Mr. Ricciardi:

I don't have the City Charter before me but I believe that my research and review of the City Charter since 1990 that City Magistrates are appointed for four year terms. Is that correct, Mr. Perry?

Can we have a City Charter before us and research that before we vote on that, Mr. Wagner?

The Chair:

There are varying terms, I believe, within the Magistrate position. Certainly we can, or we can hold it, whatever the wish of Council is.

Mr. Ricciardi:

I wish not to hold it, but if anyone can get us a Charter within the next few seconds and research that --

The Chair:

Mr. Perry has one right now.

Michelle Madoff:

It could be an unexpired term and whether it gets an extra year or not let's get on with hiring her. Lord knows we need her there.

Mr. Ricciardi:

It's not an unexpired term. This is a new appointment.

Mr. Perry:

"The Mayor shall appoint City Magistrates subject to the approval of Council. They shall serve for terms of four years."

Mr. Ricciardi:

I'd like to make an amendment to that appointment. Is that proper, Mr. Wagner, according to the City Charter?

The Chair:

Mr. Perry, procedurally, is that the right thing to do here?

Mr. Ricciardi:

I didn't notice this when she came to the table or I would have asked this question at the table. But I'd like now to make that amendment to read 1997, for a four year term, according to the City Charter.

The Chair:

Please read your amendment again.

Mr. Ricciardi:

My amendment will amend the resolution to a four year term to reflect the City Charter, which will be 1997.

The Chair:

1993, 1994, 1995 and 1996.

Okay, first prior to that amendment, we need a suspension of the rules because the amendments obviously have to be in writing to all Councilmembers.

Mr. Ricciardi:

I have it in writing and I can pass it out really quick. 1997.

Motion to suspend the rule.

Mr. Darkins seconded the motion.

Which motion prevailed.

The Chair:

Now there is an amendment on the floor to alter the term from three years to four years, to reflect the City Charter.

Mr. Darkins seconded the motion.

Michelle Madoff:

I believe it was only a type, but I'm for it.

The Chair:

You may be right.

All in favor? Opposed?

WHICH MOTION PREVAILED.

The Chair:

Now, on the appointment?

Mr. Cohen:

Mr. President, I was not here last Wednesday when Irene McLaughlin came before Council because I was at the Inauguration. But I did want to say a few words in favor of Irene McLaughlin.

I know her. I studied her resume quite well, and she is extremely qualified for this

position and I think we're lucky as a City to have her as a City Magistrate.

Mr. Darkins:

I'm so proud of this young lady who has received this appointment as a City Magistrate, and that's what we need. We need City Magistrates down there that are compassionate, compatible, who understand the law backwards and forwards and not caught up with egos. And she definitely is a street lady and she understands what we need here in the City of Pittsburgh and in our City Court. We need people like that.

The Chair:

Is there any further discussion on the motion?

And on the question, "Shall the motion pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. O'Connor
Mr. Darkins	Mr. Onorato
Mr. Ferlo	Mr. Ricciardi
Michelle Madoff	Mr. Wagner
	(Pres't)

And a majority of the votes of Council being in the affirmative, the appointment of Irene McLaughlin was approved.

The Chair:

I have one very important item in regard to committee structures. With the death of Councilman Milliones, obviously a void has existed in the committee structure here in Council.

I am making several changes today in the committee structure, the first being the assignment of the Committee on Finance to Councilman Dan Cohen. The second being, the reassignment of the Committee on Planning, Housing and Development to Councilman Jim Ferlo. The third and final being the temporary reassignment of the Committee on General Services to Councilman O'Connor. The final reassignment, Parks and Recreation, obviously is not as active a committee in the winter months. We will have a replacement in Council District 6 come May or June and we can re-assign the Committee on General Services at that time.

They are the three changes and the only three changes. I believe under this reassignment of committees will work much more effectively. It's not in the best interest of Council for me, I believe, to chair the Committee on Finance. I'm sure Councilman Cohen will do an excellent job. I'm sure Councilman Ferlo will do an excellent job on Planning, Housing and Development, and I'm certain Councilman O'Connor can take the additional committee for a temporary period of time.

REPORTS OF COMMITTEES

Mr. Wagner presented

Bill No. 1849

Report of the Committee on Finance for January 21, 1993 transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 1790

A Resolution entitled, "Resolution providing for the issuance of a warrant in favor of Public Strategies, Inc., One Bigelow Square, Suite 616, Pittsburgh, PA 15219, in the amount of \$1,600.00 in payment for professional consulting services rendered to Councilman Eugene Ricciardi for the month of January, 1993."
---(SPONSORED BY MR. RICCIARDI)

Which was read.

Also,

Bill No. 1794

A Resolution entitled, "Resolution providing for the issuance of a \$9,060.00 warrant in favor of Anthony R. Petrosky, in settlement of claim for property damage."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. O'Connor
Mr. Darkins	Mr. Onorato
Mr. Ferlo	Mr. Ricciardi
Michelle Madoff	Mr. Wagner
	(Pres't)

AYES 8 NOES none

And there being two-thirds of the votes of

Council being in the affirmative, the bills passed finally.

Also,

Bill No. 1796

A Resolution entitled, "Resolution providing for an Agreement or Agreements with William M. Mercer for professional services in connection with the Comprehensive Health Analysis and Management Program (CHAMP) at a cost not to exceed \$140,000.00, chargeable to and payable from Code Account 45, Health Insurance (004507), Department of Finance."

Which was read.

Also,

Bill No. 1797

A Resolution entitled, "Resolution providing for an Agreement with Dickie, McCamey & Chilcote, P.C. for professional services for the City Controller."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. O'Connor
Mr. Darkins	Mr. Onorato
Mr. Ferlo	Mr. Ricciardi
Michelle Madoff	Mr. Wagner

(Pres't)

AYES 8

NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Also,

Bill No. 1806

A Resolution entitled, "Resolution providing for the issuance of a warrant in favor of Christopher D. Plumtree, 601 Garden City Drive, Monroeville, PA 15146, in the amount of \$750.00 in payment for professional consulting services rendered to Councilman Jim Ferlo for the month of January, 1993."

—(SPONSORED BY MR. FERLO)

Which was read.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. O'Connor
Mr. Darkins	Mr. Onorato
Mr. Ferlo	Mr. Ricciardi
Michelle Madoff	Mr. Wagner
	(Pres't)

AYES 8

NOES none

And there being two-thirds of the votes of Council being in the affirmative, the bill passed finally.

Mr. Darkins presented

Bill No. 1850

Report of the Committee on Public Works for January 21, 1993 transmitting sundry resolution to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 1781

A Resolution entitled, "Resolution providing for an Agreement or Agreements or the use of existing Agreements for the furnishings of professional services for the benefit of the residents of the City of Pittsburgh effective December 23, 1992 and providing for the payment of the cost which is not to exceed \$50,000.00 (fifty thousand dollars) and is chargeable to and payable from Code Account 1676, (formerly Code Account 1176) Index Code 167606, Miscellaneous Services, Bureau of Environmental Services, Department of Public Works. The total of \$50,000.00 is for administration, marketing city neighborhoods and lot clean up services in relation to educating the public on litter for NeighborFair Pittsburgh. Please note that these funds are to be paid from Code Account 10 when approved. Interim approval was obtained on December 23, 1992."

Which was read.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. O'Connor
Mr. Darkins	Mr. Ricciardi
Michelle Madoff	Mr. Wagner
	(Pres't)

AYES 6

NOES none

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Mr. Cohen presented

Bill No. 1851

Report of the Committee on Planning, Housing and Development for January 21, 1993 transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 1769

A Resolution entitled, "Resolution authorizing the Urban Redevelopment Authority of Pittsburgh to acquire all of the City's right, title and interest, if any, in and to the publicly-owned property in the 22nd Ward of the City of Pittsburgh designated in the Deed Registry Office of Allegheny County, as Block 8-A Lot 14, under the Residential Land Reserve Fund."

Which was read.

Also,

Bill No. 1770

A Resolution entitled, "Resolution approving execution of a Contract for Disposition of Land by and between the Urban Redevelopment Authority of Pittsburgh and Allegheny West Civic Council, Inc., for the sale of Block 8-A Lot 14 in the 22nd Ward of the City of Pittsburgh (PARKLET)."

Which was read.

Also,

Bill No. 1771

A Resolution entitled, "Resolution authorizing the Urban Redevelopment Authority of Pittsburgh to acquire all of the City's right, title and interest, if any, in and to the publicly-owned property in the City of Pittsburgh under the Industrial Land Reserve Fund."

Which was read.

Also,

Bill No. 1772

A Resolution entitled, "Resolution authorizing the Urban Redevelopment Authority of Pittsburgh to acquire all of the City's right, title and interest, if any, in and to the publicly-owned property in the 23rd Ward of the City of Pittsburgh designated in the Deed Registry Office of Allegheny County, as Block 24-J Lots 268, 284 and 285, under the Residential Land Reserve Fund."

Which was read.

Also,

Bill No. 1773

A Resolution entitled, "Resolution approving execution of a Contract for Disposition of Land by and between the Urban Redevelopment Authority of Pittsburgh and Spring Garden Neighborhood Council, Inc., for the sale of Block 24-J Lots 268, 284 and 285 in the 23rd Ward of the City of Pittsburgh (PARKING)."

Which was read.

Also,

Bill No. 1776

A Resolution entitled, "Resolution authorizing the Urban Redevelopment Authority of Pittsburgh to acquire all of the City's right, title and interest, if any, in and to the publicly-owned property in the City of Pittsburgh under the Residential Land Reserve Fund."

Which was read.

Also,

Bill No. 1777

A Resolution entitled, "Resolution authorizing the Urban Redevelopment Authority of Pittsburgh to acquire all of the City's right, title and interest, if any, in and to the publicly-owned property in the 18th Ward of the City of Pittsburgh designated in the Deed Registry Office of Allegheny County, as Block 3-J Lot 70, under the Residential Land Reserve Fund."

Which was read.

Also,

Bill No. 1778

A Resolution entitled, "Resolution approving

execution of a Contract for Disposition of Land by and between the Urban Redevelopment Authority of Pittsburgh and Gemstone Properties Company, for the sale of Block 3-J Lot 70 in the 18th Ward of the City of Pittsburgh (GARAGE)."

Which was read.

Also,

Bill No. 1779

A Resolution entitled, "Resolution authorizing the Urban Redevelopment Authority of Pittsburgh to acquire all of the City's right, title and interest, if any, in and to the publicly-owned property in the 24th Ward of the City of Pittsburgh designated in the Deed Registry Office of Allegheny County, as Block 24-C Lot 278, under the Residential Land Reserve Fund."

Which was read.

Also,

Bill No. 1780

A Resolution entitled, "Resolution approving execution of a Contract for Disposition of Land by and between the Urban Redevelopment Authority of Pittsburgh and St. Michael & All Angels Lutheran Church for the sale of Block 24-C Lot 278 in the 24th Ward of the City of Pittsburgh (PARKING)."

Which was read.

Also,

Bill No. 1804

A Resolution entitled, "Resolution authorizing the Urban Redevelopment Authority of Pittsburgh to enter into a Grant Agreement with East Allegheny Community Council, Inc. for an

amount not to exceed \$80,000 under the Neighborhood Housing Fund."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. O'Connor
Mr. Darkins	Mr. Onorato
Mr. Ferlo	Mr. Ricciardi
Michelle Madoff	Mr. Wagner
	(Pres't)

AYES 8 NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Mr. O'Connor presented

Bill No. 1852

Report of the Committee on Parks and Recreation for January 21, 1993 transmitting one resolution to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 1789

A Resolution entitled, "Resolution providing for an Agreement or Agreements with the Pittsburgh

Sports & Festival Federation. The total cost shall not exceed \$150,000.00 and shall be chargeable to and payable from Code Account 1838, Index Code 183806, Miscellaneous Services in the Department of Parks and Recreation."

Which was read.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. O'Connor
Mr. Darkins	Mr. Onorato
Mr. Ferlo	Mr. Ricciardi
Michelle Madoff	Mr. Wagner
	(Pres't)

AYES 8 NOES none

And a majority of the votes of Council being in the affirmative, the bill passed finally.

MOTIONS AND RESOLUTIONS

Michelle Madoff:

Members of Council, Mr. President, my office was preparing a list of statistics on offenses, crimes of all sorts, in my district District 2.

We wanted to find out how our community in District 2 ranked with the rest of the City. We had it done in numerical order where the worst, what was second, what was third

But what we found out as we were going along was that the way the stats are being prepared, if somebody would say that's no way to run a business and certainly no way to run a city.

For example, in West End, which is a very narrow, small population, with only 401 people and 141 offenses, the ratio is 35 percent. That's in my district. In Elliott, with 3,104 population and 401 offenses, it's 13 percent. In Shadyside with 2,531 offenses to a population of over 13,000, it's 19 percent. East Liberty, which is supposed to be so terrible, with a population of 7,973 and 2,549 offenses, it's 32 percent. So on and so forth. In Mount Washington, the population is 10,700 with 1,375 offenses, it's 13 percent.

So, I think we have to have the new stats for 1992 prepared in a manner that gives us ratio of offenses to population, not just saying all the problems are in one community.

Prior to that, we broke down the offenses. I think they're broken in two sections, part one and part two.

Part one is murders and manslaughter, forcible rape, robbery, aggravated assault, burglary, larceny and theft, motor vehicle theft, arson.

Part two is forgery, other assaults, fraud, embezzlement, stolen property, vandalism, weapons violations, prostitution and vice sex offenses, drug abuse and violations, gambling, family violence, driving under the influence, liquor law violations, drunk and disorderly conduct, vagrancy.

I think we need to do something about how we break things down because if somebody has property -- There's one under Section Two that might affect Section One in a rather strong manner because it would affect what is

happening in the community. We need to have this whole project redone.

I spoke to Kathy Kraus who does the stats and she thought that in 1992, they have not got the stats yet, that they would perhaps think about doing it on percentages and supplying us with that.

One of the reasons I'm bringing this up is that we may request that. I think it would be a good idea for us to request it.

Now, I have a breakdown of the communities and some of the Councilmembers I have discussed it with. I think the most interesting thing of the stats are that this is all total offenses. This incorporates major offenses and minor offenses.

The highest number of offenses which I did not know -- Let me give you the total for 1991, that was before the drive-by shootings and the different type of offenses that will show up perhaps not more total but the different types of offenses and the nature of the crimes that were committed in 1992. The total for 1991 was 64,458 reported. The highest number were in the central business district, 4,410.

The second highest are in unknown. Isn't that interesting? Does anybody happen to know where the unknown community is in the City of Pittsburgh? Is there a community that's doing so poorly they don't even want us to know where they are? Well in checking I found out what unknown is. Unknown is simply when an officer fills out a form and he writes "Max's Bar". Or at the corner of Glitch and Glax. Or X and Z. And the computer rejects it. So it goes into unknown. 2,874 complaints. Who knows where they belong and what impact it has?

What I'm trying to determine by this little study is where are the pockets, where do we need

to put police officers immediately? As you know, the community is crying out for visible police round the clock. We have to have some way of having some knowledge, again, as I say, not dealing in a vacuum.

But I thought I ought to share certainly the first ten with you.

1. Central Business District
2. Unknown
3. East Liberty
4. Shadyside
5. Bloomfield
6. Homewood-South
7. Squirrel Hill-South
8. Central Oakland
9. Southside Flats
10. North Oakland
11. Mount Washington

We're in very, very trying times. And, as you know, tomorrow by substitution I'm submitting a bill which I believe will withstand the First Amendment criteria on curfews.

I don't think the issue anymore is will we have a curfew; it's a matter of how fast are we going to get it into operation.

But I thought that it would be interesting to the listening audience or anybody that wishes to pick it up in the media to share with the public because we have this wonderful community, not so wonderful I might add, called the Unknown and I cannot believe that an Administration would not manually break down the unknown crimes and include them in the district in which they belong.

It looks like the best community or the least crimes in the City is New Homestead.

Mr. O'Connor:

That's my district.

Michelle Madoff:

Well, we have good and bad in all our districts but in the pockets where we have problems like my area, which is the West End - Elliott area, obviously we need some help and we need it now and I think every one of my colleagues has that same kind of problem. And I thought it was very worthwhile bringing that information up.

The Chair:

Excuse me. Could we please have a little order? We do have a Councilmember speaking.

Michelle Madoff:

I thought maybe you were going to adjourn because others were out of order.

The Chair:

Not a bad idea.

Michelle Madoff:

After all, the others are not females; they have different genitalia so we let them get away with it.

The Chair:

That's the reason why we're calling it to order, because you have the floor. And you should have the floor.

Michelle Madoff:

There's a difference in how you treat me and you treat the others, and I think everybody

knows that.

But getting on with the issue, I would like to make a motion that we request from the Police Department, from the Statistical Office, a breakdown of 1991 Unknown Community, as to where they belong and also for 1992.

If my office can do it on a computer in a couple of hours, can you imagine when I call and they say they won't have it for a couple of months yet and it's got to go to the printers. I don't care if it's Xeroxed on newsprint. I want the information. I want to know where the pockets are and I want them as soon as possible. This can be done on a computer.

I think it's unfair for my office to have to take this burden, or other Members of Council, because, you know, the greatest sin that I've committed, I understand, and we ought to put it to rest, is that I have not attended all the public hearings, and I plead guilty. In the 15 years I've been here, I don't think I've ever missed a major vote. Never. And I have rarely, if ever, other than maybe on vacations or illness, missed a regular meeting of Council. I have missed many of the hearings because it's the same stuff going on all the time that we've heard over and over again. I listen to it on cable, I listen to it in the evening. I read the transcripts. But we need time to do the work of the Administration that isn't being done.

I think that that clarifies, and I will be pointing out other things we do that take time. I can't be put through a Xerox, none of my colleagues can be.

To wind this up, I make a motion that we get the stats for 1991 and 1992 that give us the hotspots breakdown by population, we have that from Planning, so that information is available. You just take the population, divide it by the number of offenses, and you come up with the number. And it might also be worthwhile doing it

on serious offenses and not quite so serious, except the not quite so serious also cause people to vote with their feet and to move out of the City. That's a motion; would someone second it?

The Chair:

Let me clearly reiterate. I believe the motion is to get a breakdown of the unknown for '91 and the '92 data, similar to what you have in front of you.

Michelle Madoff:

And we also want to know percentage of population to the offenses so that we put it in perspective and we don't label the community as being terrible when they have a very large population and the numbers don't work out percentages to be so bad.

Mr. Cohen seconded the motion.

Which motion prevailed.

The Chair:

I would ask that we have that information in two weeks.

Michelle Madoff:

If you can get them to do it.

The Chair:

Again, Mr. Perry, there have been a number of requests by this Council that have not been granted in terms of information. I suggest that we send that packet that you circulated to Council to the Mayor's Office. I would like that packet and each and every item in it responded to in two weeks and, if it is not responded to, I would suggest that this Council does not introduce legislation. That would be my recommendation.

Mr. Ricciardi:

Clarification of that issue. Michelle, I might have missed it in your presentation, but to date we do receive the 1991, for example, statistical report that breaks it down by -- I have a booklet that's different from that. Does that break it down by offense?

Michelle Madoff:

This is the 1991 Police Statistical Report. That's where we got our information.

Mr. Ricciardi:

Maybe you could share that with me and I'll share with you what I have in my office.

Michelle Madoff:

There's no percentage breakdowns. That's the important thing which sort of gives a community a black eye that maybe shouldn't have it. But, more importantly, we need to find out where the target areas are so we can help the communities who are begging for help.

Mr. O'Connor:

I'd just like to follow up on that issue for 30 seconds. While we're talking about Public Safety and we talked about it last week, there was a major drug bust in Hazelwood and I want to thank the City police and detectives for following up.

What led to this was our Community Block Watch which we started in Hazelwood started filling out silent complaint forms. To explain, when they see a drug buy or suspicious people in their neighborhood, they just fill out the car make and the license plate and they would send it to their Zone Commanders. In this case,

our office initiated it. We get the copies to us first and we send it to the Zone Commander. We work with the detectives.

What I'm trying to say is, by people doing this, and they don't have to put their names on it, it's a silent complaint so they're not on the spot, it led to a big drug bust. But it also tells the people out there selling drugs that day and night people are watching, not just a police car.

I just wanted to congratulate the detectives and all the people in our area that have helped. Community Block Watches do a lot better than we realize and it's really starting to work and pay off.

Mr. Ferlo:

Mr. President, Point of Parliamentary Procedure.

The Chair:

What is it?

Mr. Ferlo:

Mr. Chairman, I'd like to raise a Point of Parliamentary Procedure regarding an issue concerning the well-being of this Council and how we function as an independent legislative branch of City government.

Accordingly, I'd like to make a motion to vacate the position of the Presidency of Council.

Mr. Ricciardi seconded the motion.

The Chair:

What is your reason for the motion?

Mr. Ferlo:

I just stated the reason.

The Chair:

What is your reason?

Mr. Ferlo:

I just stated the reason. The motion is to vacate the position of the Presidency of Council.

The Chair:

Quite frankly, your motion, according to my knowledge, is not valid.

Mr. Cohen:

Could the Councilman please state the reason for his motion?

Mr. Ferlo:

I stated the reason. I'd like a ruling from the Chair, either from the Parliamentarian or the Chair, regarding the motion.

The Chair:

Mr. Perry?

Mr. Perry:

You'll have to ask the Parliamentarian. I wouldn't know.

Parliamentarian:

I'm not aware of any basis for that kind of a motion.

Mr. Ferlo:

The Parliamentarian, if he knows the rules, and I'd call it to his attention, that a motion to vacate, after stating the point is non-debatable, the Chair should rule on the motion.

We are governed by Robert's Rules of Order, Mr. President.

The Chair:

We are governed by Robert's Rules of Order and the Parliamentarian has ruled that there is no basis for the motion.

Mr. Ferlo:

Motion to challenge the Chair.

The Chair:

Okay, a motion to challenge the position of the Chair. Is there a second?

Michelle Madoff seconded the motion.

The Chair:

Is there any discussion on the motion?

And on the question, "Shall the motion pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Darkins

Mr. Ferlo

Michelle Madoff

Mr. Onorato

Mr. Ricciardi

AYES 5

NOES 3

VOTING NO:

Mr. Cohen
Mr. O'Connor

Mr. Wagner
(Pres't)

The Chair:

Mr. Perry, how many votes are needed to override the Chair?

Mr. Perry:

The majority. Five votes would be needed.

The Chair:

There still is, according to the interpretation of the Charter, no valid reason for your motion.

Mr. Ricciardi:

But the Chair has been overruled, Mr. Wagner, by a majority of Council. So the motion is still on the floor and we should vote on the motion.

The Chair:

According to my interpretation of the Charter, there must be a valid reason for the removal of anyone from any position.

Mr. Ferlo:

Mr. President, I would ask at this time that the majority of Councilmembers have spoken regarding the motion both on challenging the rule, as well as in support of the motion to vacate the position of Presidency. And at this time I would call on the President Pro Tem, Mr. Darkins, or Mr. Perry, the City Clerk, to conduct the election.

Mr. Ricciardi:

We just took a vote on the motion, Mr. Ferlo.

Mr. Ferlo:

I understand that. I'm asking the President Pro Tem to call the order for the purposes of voting on the motion to vacate the position of the Presidency of Council.

Mr. Cohen:

I believe we've had a ruling by the Parliamentarian on this issue and the Parliamentarian's ruling stands, which is that he sees no basis for that motion. I think that's it.

Mr. Ricciardi:

Point of Order. Mr. Cohen, we voted not to accept the decision of the Chair. The Parliamentarian gives the decision to the Presidency; the Presidency then reflects that onto Council and I made a motion and it was seconded, and the majority of Councilmembers voted to not accept the decision of the Chair. So the majority then rules.

Now we're back to the motion on the floor and we're asking a call on the motion. There needs to be a vote on that motion.

The Chair:

Well one thing is clear and that is that I'm chairing the meeting and I'm chairing it right now.

I know many of you may have a problem with that and you may have problem with order within this Council and this Council operating as a respectable body. But I can assure you in regard to this meeting and this motion, that's going to

happen.

Clearly, Mr. Ferlo, you have no justification for your motion. That has been validated by the Parliamentarian. When it's convenient for you, you will take the Parliamentarian's decision. When it's not convenient, you will not. And quite clearly, the Charter indicates that the President of Council is elected for a two-year term unless the President of Council is found to be incompetent in that position.

Mr. Ferlo:

I'm not here to argue the law.

The Chair:

I have the floor and I'm going to continue to have the floor. I grant you the floor and have always granted you the floor, and will continue to, because that is in the best interest of the dignity of this Council and the dignity of this City.

Unless you have justification, your motion is not in order. And you have not clearly stated justification.

Now, if you have a personal problem with me, or even if the majority of Council who has voted in the affirmative has a personal problem with me, that's okay. I can stand a personal problem with anyone. The one thing I'm not going to permit is for you or even the majority of this Council not to undignify this body and do the same in this City.

In the last couple of weeks I made some tough rulings in here and I have made some tough statements about how this Council is going to function. And as long as I'm President of Council, it's going to continue to function professionally because it's in the best interest of this body and in the best interest of the citizens, let

me repeat, the citizens of this City. The citizens of this City overwhelmingly want this Council to function in a dignified way and as long as I'm a member of this body, it will.

Now, your motion is out of order and it has been ruled by the Parliamentarian that it doesn't have substance. So, according to me, it doesn't have substance. And, again, unless you can clearly state a reason behind your motion, your motion is out of order.

Mr. Ricciardi:

Mr. Wagner, the Parliamentarian can make any ruling or decision. It then goes to the Chair, yourself, today. You then relate it to Council. A majority of Council has decided not to accept the ruling. We overruled the decision. So now we have a motion on the floor and I'm asking you to call the question. There is a motion and a second. We've overruled the Parliamentarian and overruled your decision by five votes, sir. It's Robert's Rules of Order.

The Chair:

Mr. Ricciardi, if you want to make this Council a circus, well then the focus will be on you.

Your Point of Order is not a valid point of order because I read the Charter and I suggest you read the Charter. In order for a Council President to be removed as Council President, there has to be justifiable, legitimate incompetency reasons. And I'm asking you, Mr. Ricciardi, state one reason.

Mr. Ricciardi:

The Charter does not specify a term for an elected position. We have legislative prerogative through the Commonwealth that we can elect a President and we can also vacate that position.

Again, I'm going just strictly by Robert's Rules of Order. We've challenged the decision of the Chair, this body, by a majority vote, has challenged and overruled the challenge of the Chair.

We still have a motion and I'm calling the question. We need a vote on the motion.

The Chair:

And I have ruled on the motion based on the Parliamentarian's decision. If you want to make this Council a laughingstock, go ahead, but I'm not following in your footsteps. The Charter is very clear and the Parliamentarian has been very clear.

Mr. O'Connor:

I'm not an attorney but I am an elected Councilman and I would ask my colleague to withdraw this statement. First of all, I don't see any reason; we haven't had a reason. But, even if there is, I think I would like not to put this Council back five or ten years ago where it was. I've been very proud and pleased to serve on this Council under you, President Wagner, and I respectfully would like you to withdraw this and I think if you do want to talk about these things I think we should be notified. I was not notified of any problems and I think we should be notified if there is a problem in Council and we could try to work it out and not, again, as I said, put this Council back ten years where it was ten years ago when it was a circus.

The Chair:

Thank you, Mr. O'Connor.

Mr. Ferlo:

I appreciate your comments, but your

comments notwithstanding, the issue before us is a motion to vacate the position of the Presidency of Council. It is a legal motion at this time.

Some of the points that you raise may indeed be valid, but those are points that would be valid in a court of law, which you would have a right to proceed with.

The issue right now is the Rules of Council, the Rules of Parliamentary Procedure and Robert's Rules of Order, which we are legally obligated to abide by.

At this time I would call on the President Pro Tem to conduct at this time the majority of Councilmember's wish to act on the motion to vacate the position of Presidency. And I would ask that the President Pro Tem ask for a vote on that specific motion.

The Chair:

The President Pro Tem is not chairing the meeting and will not be chairing the meeting.

Mr. Ferlo:

In effect, you have abdicated your role as Council President at this time for your failure to act on a duly constituted motion.

At this time I would ask that the President Pro Tem call the question on the issue of the motion which is to vacate the position of the Presidency of Council.

The Chair:

The President Pro Tem cannot do that as clearly the Parliamentarian will rule on that also because I am chairing the meeting, Mr. Ferlo, and whether you like it or you don't like it, I'm going to continue to.

Now, if you have a problem with that, so be it. And if you want to hire a lawyer, as you've done on another issue, you can go ahead and do that also. But at this time my ruling is going to stand in this body.

Mr. Ferlo:

I appreciate that but the Chair is out of order, Mr. President.

The Chair:

No, the Chair is not out of order.

Mr. Ferlo:

The Chair is clearly out of order.

The Chair:

The Chair is clearly in order according to the Charter.

Mr. Ferlo:

The legal issue on the table is a motion which has been duly made and seconded, which Robert's Rules of Order provides for, and that is a motion to vacate the position of Presidency of Council at this time. And accordingly, in your failure to call on that specific motion which is duly made pursuant to law, the Charter, and Robert's Rules of Order, Council's own rule of order, I would ask that the President Pro Tem call the question on the issue of the motion to vacate the position of Presidency of Council.

The Chair:

The President Pro Tem cannot.

And, Mr. Ferlo, again I'm going to rule, and I don't think your ears are open. And you may have a problem dealing with me because I

want this Council to be run orderly, last week and today, and maybe even because the committee assignment of Finance went to Councilman Cohen rather than to yourself. That may be a concern of your's because --

Mr. Ferlo:

Mr. Chairman, I appreciate that you're obviously skating the issue but that's not the issue that's on the table right now.

The Chair:

But I am going to continue to keep this body in order and no one is chairing this meeting except myself.

Mr. Ferlo:

I would ask that the President Pro Tem call the issue of the motion to vacate the position of Presidency of Council.

Mr. Cohen:

I think that the Parliamentarian has made a decision. Councilman Ferlo has continually said "according to law" but he has no law to point to and no opinion by the Solicitor, no opinion by the Parliamentarian. The only lawyer, well we have other lawyers like myself and Mr. Onorato, but the only assigned lawyer to make that decision here is the Parliamentarian and the Parliamentarian has spoken.

That having been said, I think official City business here is completed and I move to adjourn this meeting.

Mr. O'Connor seconded the motion.

Mr. Ricciardi:

Point of Order. Again, the

Parliamentarian has every right, you're right, Mr. Cohen, to make a ruling. That decision then goes to the Chair. We, by a majority vote, have overruled that decision which means that the decision does not stand at this legislative body.

Mr. Cohen:

I'd like a legal opinion on that, Mr. Ricciardi.

Mr. Ricciardi:

I think the Parliamentarian can rule to advise us to that effect, that we now have clearly challenged the decision of the Chair which came from the Parliamentarian and we were successful by a vote of five.

Mr. Cohen:

You can't rewrite Robert's Rules of Parliamentary Procedure by a majority vote, Mr. Ricciardi.

Mr. Ricciardi:

I'd like to ask the ruling or the advice of the Parliamentarian if we can strike down the decision that you have given to the Chair.

Parliamentarian:

There's no authority for the Council to strike the decision of the Parliamentarian. The Parliamentarian's ruling goes to the Chair to make a decision.

Mr. Ricciardi:

And by a vote of five, a majority vote, we can not accept that decision. We can override that decision, correct?

Parliamentarian:

There is provision for appealing the decision.

Mr. Ricciardi:

And we appealed it. I challenged the decision of the Chair and by a majority vote, five, we won.

The Chair:

The procedure for appeal, the way I interpret it and the way you interpret it, Mr. Ricciardi, is different. If you want to appeal legally, I would suggest you do that. But as long as the Parliamentarian is here, his decision is binding.

And, again, all of you seem to want to make it convenient to you to utilize the Parliamentarian's decision when you like it, and when you don't like it, not to accept it.

Mr. Ricciardi:

But that aside, we had five votes challenging the Chair and we were successful. We've challenged the Chair in the past and have been successful by a majority vote, and then we go on to the next form of business. The next form of business now is that we have a motion on the floor.

The Chair:

Mr. Ricciardi, Mr. Ferlo's motion and your second is invalid because, again, you can't state one justifiable reason for your motion except possibly political reasons, or organization within this Council.

And, Mr. Ricciardi, if you have a problem with that, so be it. And you and I can discuss that

at any time.

Mr. Ricciardi:

I'd just like to call the question.

The Chair:

There is not going to be a question because the Parliamentarian has ruled.

Mr. Darkins:

Mr. President, there's a motion on the floor to vacate the position of the Presidency of Council. My understanding here is, and I'm only trying to act in my capacity as President Pro Tem, that I'm supposed to call for that motion.

Mr. Ferlo:

Roll call vote, Mr. President Pro Tem.

The Chair:

There's not going to be a roll call vote.

Mr. Ferlo:

The President Pro Tem has asked for a vote on the motion to vacate the position of Presidency of Council and at this time I have asked for a roll call vote. Would you read the names?

The Chair:

There is not going to be a roll call vote.

Mr. Cohen:

Mr. President, I think I have a motion to adjourn on the table.

The Chair:

Yes, you do.

Mr. Cohen:

There was a motion and a second on that motion. And I would ask my fellow Councilmembers to vote to adjourn this meeting so that we can discuss this issue and not have it be a public display or a circus here, that we adjourn this meeting, get a legal opinion from the City Solicitor, and discuss it in a way that we can do it with dignity.

Mr. Ferlo:

The President Pro Tem has called for a roll call vote on the motion to vacate the position of the Presidency of Council and at this time I would ask for a roll call vote.

The Chair:

It is invalid and there will not be a roll call vote.

And, as I indicated clearly, Mr. Ferlo, and let me repeat myself, obviously you don't like order in this Chamber. Once before you grabbed the gavel out of someone's hand and embarrassed this Council. That is not going to happen again. Believe me, it's not going to happen again.

My point is clear. The Pro Tem of this Council, Mr. Darkins, whom I respect, is not going to run this meeting because I'm running this meeting. You may have a problem with that, but so be it. You may have a problem in terms of order in this Council. You may have a problem in terms of dignity. You may want to embarrass this City. But if it's your intent to embarrass this City, you have to go through me to embarrass the residents of this City. And I'm not going to put up with that.

Mr. Ferlo:

Mr. President, I appreciate your speech, but that's not the order. My desire is not to debate you on the issue of politics, all of which you've just stated. The simple motion, which the President Pro Tem has asked for a roll call vote since you've failed to act accordingly as the Chairman of this meeting, is a motion to vacate the position of the Presidency of this Council and I believe we should have a roll call vote. And I would ask that the President Pro Tem, if the Clerk is not willing at this point, would call the individual names of Members of Council to ask for a formal roll call vote on this motion.

The Chair:

There is not going to be one.

And, Mr. Darkins, I know you have been part of many meetings in the past and there is a chair of a meeting from the start of the meeting to the end of the meeting unless, for some legal, justifiable reason, that is voided. And obviously that has not been put on this floor. I continue to chair this meeting. There is not going to be a roll call vote on that motion.

Now, Mr. Ferlo, if you want to proceed with a written opinion from the Parliamentarian in regard to it, please do. Be my guest. Or any other legal challenge.

Mr. Ferlo:

With all due respect, Mr. Chairman, I would ask that the President Pro Tem call a roll call vote of each Member on the motion on the table which is the motion to vacate the position of Presidency of Council. At this time I would ask the President Pro Tem to call the individual Members of Council so that they may vote aye or nay.

The Chair:

There is not going to be one. It's that simple.

There is a motion on the floor.

Mr. Cohen:

There has been a motion and a second on the floor to adjourn and I ask my colleagues to vote to adjourn this meeting so we can get an opinion from the Solicitor, even if there is a difference here, which there obviously is, we can get a legal opinion from the Solicitor on this issue and I suggest that we do that so that we not be destructive of this Council.

Mr. Ferlo:

Mr. Wagner, there is a motion on the floor. The adjournment motion is out of order until we act on the motion on the floor.

At this time I would ask that the President Pro Tem respond and ask for a roll call vote.

Mr. Cohen:

Call the question on the adjournment motion, Mr. President. The Parliamentarian has spoken on that issue.

Mr. Ferlo:

We have a motion on the floor.

The Chair:

The Parliamentarian has ruled on the motion, Mr. Ferlo, as being invalid.

Mr. Ferlo:

We have overruled the Chair.

The Chair:

It is invalid. The Parliamentarian has ruled. There is a valid motion on the floor. Roll call vote on the motion to adjourn.

If Council wishes to meet all day and discuss this, we can. I will stay here all day long. But, I want everyone to clearly understand again that I am chairing this meeting and no one else is chairing it.

And as much as you, Mr. Ferlo, don't like that or some others don't like that, that is going to continue for the duration of this meeting.

Roll call vote on the motion to adjourn.

AYES:

Mr. Cohen	Mr. Wagner
Mr. O'Connor	(Pres't)

AYES 3 NOES 5

VOTING NO:

Mr. Darkins	Mr. Onorato
Mr. Ferlo	Mr. Ricciardi
Michelle Madoff	

Mr. Ferlo:

At this time I would ask that the President Pro Tem accordingly ask for a vote of the Members present in the affirmative or voting no on the motion at hand which has been duly made under Robert's Rules of Order and by law of the Home Rule Charter, Robert's Rules of Order and Parliamentarian Procedure.

Granted, the Parliamentarian's interpretation was issued by the Chair, we overruled the Chair on this matter and at this time the motion on the floor is the motion to vacate the position of the Presidency of Council and I would ask that the President Pro Tem call that question.

The Chair:

There is not going to be a roll call. And if this Council has chosen not to adjourn, if you want to talk about another issue or you want to talk about a reason behind your motion, that's fine with me. But there is not going to be a roll call.

Mr. Ferlo:

I would ask that the President Pro Tem call a roll call vote on the motion at hand which is to vacate the position of the Presidency of Council. At this time I would ask that he read the names of each member so that there may be a vote on this issue.

The Chair:

Mr. Ferlo, you may have wax in your ears and I want you to know clearly, again, that there is only one Chairperson of this meeting.

Now, if you're successful legally in your pursuit of this objective, that's fine.

Mr. Ferlo:

Mr. Wagner, I appreciate the views that you're issuing and I'm silent on the merits of your concerns. I'm dealing solely with the issue on the table. We'll have many opportunities in the future to debate politics. The issue at hand right now is the issue of the motion to vacate the position of the Presidency of Council.

The Chair:

Is there any further discussion about any other issues in regard to this Council?

Mr. Darkins (Pres. Pro Tem):

Mr. President, we do have to acknowledge the motion that's on the floor and it's not difficult to call these names. I would like to call everyone's name. I could still be ruled out of order but the motion is now on the floor and I am calling for the name of Dan Cohen.

The Chair:

Councilman Darkins, there is not going to be a vote. And there's not going to be any recording of a vote.

Mr. Darkins (Pres. Pro Tem):

Duane Darkins votes aye.

Jim Ferlo?

Mr. Ferlo:

I vote aye.

Mr. Darkins (Pres. Pro Tem):

Michelle Madoff?

Michelle Madoff:

Aye.

Mr. Darkins (Pres. Pro Tem):

Bob O'Connor?

Mr. O'Connor:

No.

The Chair:

The vote is an invalid vote.

Mr. Darkins (Pres. Pro Tem):

Dan Onorato?

Mr. Onorato:

Aye.

Mr. Darkins (Pres. Pro Tem):

Gene Ricciardi?

The Chair:

There is not a valid vote appearing on Council.

Mr. Ricciardi:

Aye.

Mr. Darkins (Pres. Pro Tem):

Councilman Wagner?

The Chair:

There is not a valid vote appearing on Council.

Mr. Darkins (Pres. Pro Tem):

The motion passes.

The Chair:

I would ask the Parliamentarian to please stand and say when and how a vote can occur within this body.

Mr. Ferlo:

At this time I would ask the President Pro Tem, since the Chair has been vacated, the Presidency has been vacated, I would ask that the President Pro Tem accept nominations and conduct an election for the President of Council.

Mr. Cohen:

Mr. President, I would like to make a motion at this time to recess this meeting, not to adjourn but to recess.

Mr. O'Connor seconded the motion.

The Chair:

Roll call vote on that motion.

AYES:

Mr. Cohen	Mr. Wagner
Mr. O'Connor	(Pres't)

AYES 3	NOES 5
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VOTING NO:

Mr. Darkins	Mr. Onorato
Mr. Ferlo	Mr. Ricciardi
Michelle Madoff	

Mr. Onorato:

I'm voting no on this until we determine when we're going to recess to.

Mr. Cohen:

What would be your desire, Mr. Onorato?

Mr. Onorato:

What did we vote on before the recess that went 5-3?

Mr. Ferlo:

The President Pro Tem was about to accept—

The Chair:

Mr. Ferlo, I'm chairing the meeting.

Mr. Ferlo:

The Presidency —

The Chair:

You are out of order.

Mr. Ferlo:

I appreciate your ruling.

The Chair:

You are out of order. I am chairing the meeting.

Mr. Onorato, there was no vote on anything.

Mr. Ferlo:

Mr. Wagner, the position of Presidency has been vacated by a majority vote of this Council. And at this time it's the duty, according to the Rules of Council, for the City Clerk and/or the President Pro Tem last remaining, in this case Mr. Darkins, to entertain nominations for the position of Presidency of this Council.

The Chair:

Mr. Ferlo, Mr. Onorato asked a question.

Mr. Ferlo:

If the Clerk is not willing to proceed with that, I would ask that the President Pro Tem at this time accept nominations for the position of President of this Council.

The Chair:

You don't have the floor.

Mr. Cohen:

Mr. President, I would like to amend my motion on recess. I'd like to move to recess this Council meeting 15 minutes so that we can try to get a legal opinion and we can discuss this issue.

Mr. O'Connor seconded the motion.

The Chair:

Roll call vote.

AYES:

Mr. Cohen
Mr. O'Connor

Mr. Wagner
(Pres't)

VOTING NO:

Mr. Darkins
Mr. Ferlo
Michelle Madoff

Mr. Onorato
Mr. Ricciardi

AYES 3

NOES 5

Mr. Onorato:

I vote no until we take the election.

Mr. Ricciardi:

Mr. President Pro Tem, I'd like to nominate Jim Ferlo for President of this body.

The Chair:

The motion is not accepted because there has not been a vacation of the Council Presidency seat and therefore the motion is not valid.

Again, I would ask the Parliamentarian, if Council would be receptive to hear the Parliamentarian's ruling on a vote on Council without it being a legitimate vote.

Mr. Ferlo:

I believe the issue at hand right now --

The Chair:

Mr. Ferlo, you want to hear the Parliamentarian when it's convenient, but you don't want to hear it when it's not convenient.

I would like to hear the Parliamentarian's opinion.

Mr. Ferlo:

Mr. Wagner, I appreciate you skirting the issue.

The Chair:

I'm not skirting the issue.

Parliamentarian, would you please inform Council of the appropriate legal action in parliamentary way that Council should be proceeding.

Mr. Ferlo:

There was an affirmative vote, Mr. Wagner, on the issue of vacating the Presidency office and that was approved. And at this time, according to Robert's Rule of Order and the Rules of Council, either the City Clerk or the President Pro Tem is empowered to accept nominations for the position. And I believe at this time Mr. Darkins, in his capacity as President Pro Tem, has entertained a nomination from Ricciardi. And that's the business at hand.

The Chair:

I would like the Parliamentarian to answer the question I asked.

Parliamentarian:

Council's Rules provide for an election of a President for a term. They do not provide for any kind of procedure to have it be vacated during that term.

The Chair:

Thank you. That's the ruling and that has always been the ruling and thank you for reading and educating this Council.

Mr. Ricciardi:

Point of Order, Mr. Wagner. It says —

The Chair:

Mr. Ricciardi, I have the floor. And again, if you want to make this Council a circus, go ahead. I'm not going to be a part of it.

Mr. Ricciardi:

I have a Point of Order on the procedure.

The Chair:

It's not a procedure. The Parliamentarian has ruled that the Council President is elected for two years, again, for a term of which two years is a legislative term within this body. Everyone is aware of that and has been keenly aware of it, including the maker of the motion, Mr. Ferlo.

Mr. Ricciardi:

Point of Order, Mr. Wagner. According to Robert's Rules, it says "a term". The Charter never mentions one year, two years, three years or four years. It says "a term". This body has decided and elected that the term ended today by a vote of 5-3. The President Pro Tem is chairing the meeting and there is a nomination on the floor and I would ask for additional nominations, Mr. President Pro Tem, if not a vote.

The Chair:

Parliamentarian, could you please interpret that comment?

Parliamentarian:

To suspend or change a Rule of Council, you need a two-thirds vote.

The Chair:

And to change the Charter you need a referendum question to identify the term. It is generally accepted legally that a legislative term within this City is two years. Is that correct, Mr. Perry?

Mr. Perry, would you please inform the public and Council of the length of a legislative term?

Mr. Perry:

A legislative term is two years.

Mr. Ferlo:

I don't disagree with you, Mr. Wagner.

The Chair:

Is that correct, Mr. Parliamentarian, that a legislative term is two years?

Parliamentarian:

That's correct.

Mr. Ferlo:

Mr. Wagner, I don't dispute the fact that the issues that you raise of a legal nature are issues that at some point in the future will be resolved.

The issue right now on the table, since the Presidency has been vacated, the President Pro Tem is conducting an election for the purposes of filling that position. The only issue right now so far is the nomination which Mr. Ricciardi had made, and I believe the President Pro Tem at this time is duly and properly conducting an election to fill the vacancy that exists. And I believe the only thing in order right now is to accept additional nominations for the position of Presidency.

I would ask that the President Pro Tem conduct this election at this time, and following that, and my comments are directed to the President Pro Tem at this time, following that a motion for adjournment is in order.

The Chair:

I'm sorry but your motion is out of order.

There has been an interpretation --

Mr. Ferlo:

I would ask --

The Chair:

Let me respond. You commented, now let me comment.

Mr. Ferlo:

I would ask that the President Pro Tem --

Michelle Madoff:

Point of Order. I'm going to put this to rest once and for all. Any person can be elected and any person can be elected by this body. But whether you're elected to serve four years, six years, three years or two years you can have a recall. This is a recall of the people who voted for the President of Council. We're recalling our vote. Can we get on with the business, please?

The Chair:

Your Point of Order is invalid.

Mr. Ferlo:

I would ask the President Pro Tem at this time to accept further nominations for the position.

Mr. Darkins (Pres. Pro Tem):

Are there any other further nominations for President?

Mr. Ricciardi:

I move to close nominations.

The Chair:

There is not a nomination because there has not been a vacation. The term is two years.

I know, Councilman Onorato, you have been silent here. You're a lawyer. Clearly, if this Council--

Mr. Cohen:

He's been silent with broken promises.

Mr. Onorato:

Somebody made the comment that I was quiet with broken promises, that's the furthest from the truth. I'm sitting here and I have a right to --

Mr. Cohen:

He said he'd vote for a recess.

The Chair:

Mr. Cohen, you're out of order. One person at a time.

Mr. Ferlo:

Mr. Wagner, you're out of order.

The Chair:

No, you're out of order. Mr. Onorato is speaking.

Mr. Onorato:

Why is Councilman Cohen's vote more important than mine or your's, Mr. President, or Mr. Ferlo's or Mr. Ricciardi's? I have a right to express my opinion. I have a right to remain silent if I wish.

The Chair:

Mr. Onorato, I respect that. My comment to you has nothing to do with any of that. My comment has everything to do with the Charter that all of us are mandated to serve under. And you being a lawyer know that a term is a term.

Mr. Ferlo:

Mr. President Pro Tem, I would ask that you accept further nominations or that you recognize Mr. Ricciardi's motion which was to close nominations. The Chair has been vacated. The President Pro Tem is in the process of conducting an election.

The Chair:

There is no election.

Mr. Ferlo:

If there are no other further nominations, I would ask that the President Pro Tem rule and respond to Mr. Ricciardi's motion which was to close nominations.

The Chair:

Again, Mr. Ferlo, you want to make this Council a circus, and I understand that. I know you want this Council to be the laughingstock of this City. You want to embarrass the residents of this City. That's very obvious.

A person in elementary school could interpret the meaning of this Charter. If you wish to change the Charter, I would strongly recommend that you proceed with a petition or put a vote on this Council to change the Charter. Either-or.

Mr. Ferlo:

Mr. Wagner, I have many opportunities to debate with you the issue of politics or personalities. That is not the issue that is on the table right now.

The Chair:

You want this Council to be your personality and your personality is disrespectful to the people of this City. And you know that.

Mr. Ferlo:

With all due respect, the issue on the table right now before us is the nomination for the office. There was a nomination. I don't know if there were further nominations. Mr. Ricciardi made a motion to close nominations and I would ask that the President Pro Tem at this time accept the motion to close nominations and get on with the vote. That's where we're at.

The Chair:

The President Pro Tem is not conducting this meeting.

Again, Mr. Ferlo, you're not hearing, understanding, listening to the Parliamentarian. The Parliamentarian has ruled very clearly that a term is a term. And the interpretation of a term, according to the City Clerk and the Parliamentarian, not Jack Wagner, a term, according to the Parliamentarian and Mike Perry, a legislative term is two years. I know you don't want to accept that but clearly that's the interpretation of a legislative term.

Michelle Madoff:

Mr. Wagner, I want to do this legally to make you happy. We'd never want you to be unhappy.

I just spoke to the Parliamentarian who told me that it's a two year term and I said, "But where does it say that we don't have to have two years?" He said, "You'd have to have a rule that says we change the two year term."

Therefore, before we continue, I make a motion that we call on the Chair to change the two year term to the will of Council.

Mr. Ricciardi seconded the motion.

The Chair:

You can't.

Michelle Madoff:

I just spoke to the Parliamentarian. You're relying on the Parliamentarian; we're going with what you want.

The Chair:

You cannot change the Charter at this meeting. Clearly, I want everyone to know that.

Michelle Madoff:

I have made a motion and it has been seconded that we change the two year term to the will of Council.

Mr. Ferlo:

Mr. Wagner, you are out of order. The person conducting this meeting -- The position of Presidency was vacated, Mr. Wagner. At this time, the motion that's on the floor, having had nomination, is the motion to close nomination which Mr. Ricciardi made. And at this time would ask that the President Pro Tem, as far as following the Rules of Council, finish conducting the election and that we have an up or down vote.

on the motion to close the nominations and that we get on with the vote.

The other issues that you raised will be future issues of politics and law that can be argued in other forums outside these Chambers. That's the point.

The Chair:

Mr. Cohen has his hand up and he would like to say something.

Mr. Ferlo:

You are no longer chairing the meeting.

The Chair:

Yes I am.

Mr. Ferlo:

The position has been vacated. At this time the only motion that is on the table is the nominating procedure, which we initiated, based on the fact that a majority has spoken regarding the vacation of the Presidency of Council. And at this time there was a nomination and I would ask that Mr. Darkins finish conducting the election.

Mr. Cohen:

Mr. President, I have asked the Solicitor to come to the meeting, so the Parliamentarian is no longer the person to consult with. We certainly can, but we have the Solicitor at the meeting and I suggest that we ask the Solicitor whether or not the position of President has been vacated by the action of this Council.

Mr. Ferlo:

That is completely out of order. The Solicitor can offer an opinion at her discretion in

the future. She is not an elected member of this legislative body.

Mr. Cohen:

She is now the Parliamentarian of this Council.

Mr. Ferlo:

We have voted to vacate the office and at this time we are in the process of conducting a nomination procedure regarding the filling of that vacancy. That's the issue that's on the table.

The Chair:

Mr. Ferlo, do you have a problem with the Solicitor of the City of Pittsburgh giving a legal opinion in regards to the interpretation of the Charter?

Mr. Ferlo:

Not at all. But that is not the issue that's on the table right now.

The Chair:

Ms. Conturo, would you please speak up and grab the microphone? Or come up front by Mr. Perry.

Michelle Madoff:

Point of Order. Mr. Wagner is no longer the President of this Council. The President Pro Tem is running this meeting.

The Chair:

Councilwoman Madoff, you're out of order.

Mr. Ferlo:

Mr. Wagner, I have no problem with the Solicitor issuing a statement based on either law or politics. But that is not the issue that's on the table right now. The issue is, the position was vacated, the President Pro Tem called for an election procedure, there was a nomination, there was a motion to close nominations, and I believe the President Pro Tem is the person empowered at this time to finish conducting the election.

The Chair:

Ms. Conturo, you have the floor.

Michelle Madoff:

No you don't, Ms. Conturo.

The Chair:

Yes, she does.

Councilwoman Madoff, would you please give this lady the dignity that she deserves as the City Solicitor?

Mr. Darkins (Pres. Pro Tem):

Ms. Conturo, I have the greatest respect for you because you are our Solicitor.

There has been a motion on the floor. Do we have any other motions?

The Chair:

No, there are not any motions, Mr. Darkins. You are not chairing the meeting.

Mr. Darkins (Pres. Pro Tem):

Roll call vote on closing the nominations.

Mr. Cohen?

Mr. Darkins votes aye.

The Chair:

You are not chairing the meeting.

Mr. Darkins (Pres. Pro Tem):

Mr. Ferlo?

Mr. Ferlo:

Aye.

The Chair:

There is no vote. Again, this Council is making the City the laughingstock of this country.

Mr. Cohen:

They want to destroy this Council, Mr. President.

The Chair:

That's right. This has been a professional Council and now the majority would like to see it the laughingstock. And I'm talking specifically about anyone and everyone here.

Mr. O'Connor:

Let's listen to the attorney.

Mr. Ferlo:

We're in the middle of a vote.

The Chair:

No we're not in the middle of a vote.

Mr. Ferlo:

The President Pro Tem has called the role.

The Chair:

The President Pro Tem is not chairing the meeting.

Mr. Darkins (Pres. Pro Tem):

Michelle Madoff?

Michelle Madoff:

Aye.

The Chair:

Mr. Ferlo, the President Pro Tem is not chairing the meeting and I know you have a problem with order, but that order is going to remain in this Council.

Mr. Darkins (Pres. Pro Tem):

Mr. O'Connor?

Mr. Onorato?

The Chair:

Mr. Onorato, there is not a vote going on.

Mr. Onorato:

Mr. President and colleagues, I have no problem and I would like to hear Ms. Conturo.

Solicitor:

I would like to refer you to Section 305 of the Charter that says that Council organizes the

first Monday of January following a municipal election. There was not a municipal election this past November; there was a general election. You are not scheduled to organize until next January, again, which is when you would elect a President of Council.

The Chair:

Thank you.

Mr. Onorato has the floor.

Michelle Madoff:

Do you want --

The Chair:

Councilwoman Madoff, I would ask that you grant your colleague the dignity --

Mr. Ferlo:

The President Pro Tem is in the process of calling the roll.

The Chair:

Mr. Ferlo, you are out of order.

Mr. Ferlo:

You are not the Chair at this time.

The Chair:

You are out of order.

Mr. Ferlo:

The President Pro Tem has called for a vote and we are in the process of voting on the issue.

The Chair:

Again, obviously your ears are not open and your eyes cannot read because the Charter is right in front of you. And I suggest you turn to the same page that the Solicitor just read. I know you have a problem, Mr. Ferlo, with order in this Chamber, and you've had a problem, but clearly look at the Charter. If you want to attempt to change the Charter, I suggest you go to a referendum question.

Mr. Ferlo:

Mr. Wagner, I stated earlier that I'll be happy to debate you at a future time, either with personality or politics. But that's not the issue that's on the table right now.

The Chair:

It's not a debate. This is fact and this is law. You were elected by the people of this City to follow the mandate of that Charter. You were sworn in to follow the mandate of that Charter. Are you saying that you do not want to follow the mandate of that Charter, Mr. Ferlo?

Mr. Ferlo:

I believe we're in the process of a vote.

The Chair:

Are you saying you don't want to follow the mandate by which you were elected?

Mr. Ferlo:

I absolutely do. Absolutely.

The Chair:

I don't believe you are. And you know you're not

Michelle Madoff:

Mr. President Pro Tem, may I have the floor, please?

Mr. Darkins (Pres. Pro Tem):

Michelle?

Michelle Madoff:

May I address the City Solicitor, Mary Conturo?

The gentleman who was acting as our Parliamentarian before you were called -- They called in the heavyweights to try to wipe out the will of Council as a majority.

I think the ex-President of Council should have the good taste to step down graciously. If he doesn't want to have this be a zoo or a circus, he ought to act accordingly and then take his claim elsewhere.

But is it not true, as your Parliamentarian said, that the rule says two years and there is no proviso for -- I asked the question, "Is there a term, how would you change it?" He said "You'd have to introduce a motion." My motion would be to abort the two year term and have term at the will of Council. That is an official change in our rules and if we have five votes to do that, then we can get on with the business of the day.

The Chair:

Again, there has been an interpretation by the Solicitor.

Michelle Madoff:

It says we can organize but it doesn't say

we cannot reorganize. There is no proviso that says we cannot change who is President of this body. He's not elected by the public; he's elected by us, not by the public.

The Chair:

Mr. Onorato has his hand up.

Michelle Madoff:

I'd like an answer from Mary Conturo.

The Chair:

Councilwoman Madoff, you are out of order again.

Michelle Madoff:

I'm not out of order because you insisted on hearing from the Solicitor, we did, and I'm now asking her a question. Give her the courtesy of answering. Don't cut her off.

Solicitor:

The Rules of Council cannot override the Charter and the Charter provides for organization only every two years.

Michelle Madoff:

We cannot, according to your legal opinion, change it by will of Council, those who elected him, the majority, to say the term will be shorter than two years.

Solicitor:

That's right.

The Chair:

Mr. Onorato has his hand up.

Mr. Darkins (Pres. Pro Tem):

I'd like to recognize Mr. Onorato.

Mr. Onorato:

Mr. President, Mr. President Pro Tem, I'm familiar with the 305 Section 304 Section of the Charter and it's obviously unclear about removal but the term implies and says two years.

What I would like to see, if it's okay with the majority of Council, we heard how the Solicitor interpreted it, all we have to know now is an interpretation if there is a limit on those terms and if there is a requirement to removal. And if we could have that interpretation we could either recess instead of adjourn to get that opinion. Then you won't have to sit here all day disputing it because we're going in circles.

The Chair:

Very obviously we are going in circles and this Council as a majority of five are going in circles. There have been two legitimate motions on the floor.

Mr. Onorato:

That was a motion.

The Chair:

Could you please state it again?

Mr. Onorato:

I made a motion so that we can recess and have an opinion regarding the terms and both the length and removal process.

Mr. Cohen seconded the motion.

The Chair:

Roll call vote.

Mr. Ferlo:

The vote is out of order.

The Chair:

Please continue the vote.

AYES:

Mr. Cohen	Mr. Onorato
Mr. Darkins	Mr. Wagner
Mr. O'Connor	(Pres't)

AYES 5 **NOES none**

The Chair:

This meeting is recessed.

Pittsburgh, PA

Wednesday, January 27, 1993

And the hour of recess having expired, the majority of Council reconvened and there were present:

Mr. Cohen	Mr. O'Connor
Mr. Darkins	Mr. Onorato
Mr. Ferlo	Mr. Ricciardi
Michelle Madoff	Mr. Wagner

The Chair:

Council's Recessed Meeting from Tuesday, January 26, 1993 at 11:50 a.m. is now reconvened. Let the record reflect that all Members of Council are present.

The meeting was recessed based on a motion and a request for the Solicitor's opinion in regard to a motion put on the floor to oust the Council President. That Solicitor's opinion has been submitted to all Members of Council. We have it in front of us and I would request that it becomes part of the Record.

(OPINION FROM SOLICITOR)

January 26, 1993

President and Members of Council
City Council
510 City-County Building
Pittsburgh, PA 15219

Dear President and Members of Council:

This is in response to your request for an opinion on the question of whether, and in what manner, the President of City Council can be

removed.

Section 305 of the Home Rule Charter requires Council to organize on the first Monday of January following each municipal election. It also provides that Council shall, by a majority vote of all Council Members, elect one member to serve as President. Council President is elected for a fixed term, a conclusion that is supported by the express reference to such a "term of Council President" in Section 307. Because Council can only act in accordance with powers established in the Charter, Council is not empowered to reorganize or to hold another election on the office of President at any other time.

The January 26, 1993 meeting of Council is not held on the first Monday of January following a municipal election. (Note that the election of November 1992 was not a municipal election. See 25 P.S. Subsection 2602(j).)

The question of the circumstances by which the Council President may nevertheless be removed requires reference to two other provisions of the Charter. It is our opinion that Section 806 on impeachment provides the sole means for such removal. Section 806 provides that elected officials and officers may be impeached, suspended or removed from office in the event of mental incapacity, incompetency, neglect of duty, malfeasance, mismanagement or for any corrupt act or practice. Impeachment proceedings are initiated by presentation of a written petition to the Court of Common Pleas signed by at least twenty qualified electors who reside in the City. If, in the opinion of the court, reasonable grounds are set forth in the petition, the court will appoint a citizen investigating committee to make a written report to the court. If the committee reports the charges well founded, Council sits as a court and the President Judge of the Court of Common Pleas presides. If the accused is found guilty of any charge specified, the court will enter an appropriate judgment and

declare the accused's office vacant. Because the President of Council is a City official, this section is applicable.

Section 311 of the Charter does not apply to the office of the President of Council. That section empowers Council to remove from office for cause any person appointed to office with the required approval of Council. This section, which also requires notice and an opportunity to be heard, does not apply, however, because the President of Council is not an appointed position. The President is elected by Members of Council pursuant to Section 305.

Very truly yours,

Mary K. Conturo
City Solicitor

MKC:bav
cc: The Honorable Sophie Masloff

(END OF SOLICITOR'S OPINION)

(INDEPENDENT OPINION)

January 27, 1993

Councilman Jim Ferlo, President
Councilman Duane A. Darkins
Councilwoman Michelle Madoff
Councilman Dan Onorato
Councilman Eugene Ricciardi
City of Pittsburgh
City-County Building
Pittsburgh, Pennsylvania 15219

Dear Councilmembers:

I am writing to reiterate prior conversations with certain of you regarding the legal basis upon which you elected a new

Council President at yesterday's meeting. This letter is intended to confirm the legal propriety of Mr. Ferlo's election as Council President. The following provides analysis of certain legal principles and authority which provide support for your actions.

Initially, it must be noted that Section 101 (the first and foundational Section) of the City of Pittsburgh Home Rule Charter (the "Charter") grants to the City the broadest of powers. It authorizes the City to exercise any power not denied by the Constitution, the laws of Pennsylvania or the Charter. Specifically, it provides that the powers of the City shall be construed liberally in favor of the City (or in this case its legislative branch). It further provides that the specific mention or particular powers stated in the Charter cannot be construed as limiting in any way the general power set forth in Section 101.

It is acknowledged that Section 305 of the Charter requires that the Council of the City of Pittsburgh (the "Council") organize on the first Monday of January following each municipal election and, by a majority vote of its members, elect a member to serve as President. Section 305 mandates a biennial election of Council President because Council is reconstituted as a body on the first Monday of each January following a municipal election and each reconstituted Council has the legislative and legal right to elect a President. Sections 101 and 305 construed together make it clear that although Section 305 should be read to require a biennial election of Council President, it should not be construed to limit more frequent elections.

Totally absent from any analysis provided by the City Solicitor with respect to yesterday's election is reference to Section 22225 of the Second Class City Code (the "Second Class City Code"). Section 22225 provides, in pertinent part, that "(u)pon the first Monday of

January following each general municipal election, the Council shall organize by electing one of their number as President, to serve for a term of two years" (emphasis supplied). Section 812 of the Charter provides that the Charter shall supersede all law inconsistent or in conflict with the Charter. Section 305 of the Charter addresses the same subject matter as does Section 22225 of the Second Class City Code, using strikingly similar language, without stating that the President shall be installed for a set two year term. The strong negative implication is that the Charter drafters did not intend to give the Council President a term. By the operation of Section 812 of the Charter, Section 22225 of the Second Class City Code has no application to Council.

In that Section 305 of the Charter and Section 22225 address the same subject matter and Section 305 does not establish a two year term, the only logical inference which can be drawn therefrom is that the drafters of the Charter specifically rejected a set term for Council President. Moreover, it is legally simplistic to suggest that even under the Second Class City Code which establishes a two year term, such a term could not be truncated under certain circumstances.

Notwithstanding the City Solicitor's assertions to the contrary, Section 806 of the Charter has no application to the removal of Council President. Section 806 on its face applies to officials elected by the electorate and afford the electorate a means by which to remove incompetent individuals from elected office. The fallacy of the Solicitor's legal position is illustrated by the following which is offered only by way of example. If Section 806 applied to the office of Council President and the sitting President clearly manifested mental incapacity the application of Section 806 would require that Council and the residents of the City of Pittsburgh endure such incapacity until 20 qualified electors of the City organized and filed a petition in the

Court of Common Pleas to initiate a lengthy process. This would produce chaos and the law does not contemplate chaos. Clearly, Section 806 applies only to officials elected by the citizenry.

The last sentence of Section 305 of the Charter contemplates a vacancy in the Presidency. It provides that Council shall fill a vacancy by a majority vote. Although this Section makes it clear how a vacancy, once created, is filled, it does not address how a vacancy can be created. Section 101 of the Charter, general principles of legislative prerogative and basic corporate law afford guidance on this issue. All of these bodies of law support the entitlement of a legislative body, such as Council, to vote to oust its President on the same majority vote basis by which the President was elected.

In conclusion, in the event that Mr. Wagner and others fail to honor the election of Mr. Ferlo as Council President, you are within your legal rights to judicially confirm the exercise of yesterday's democratic process.

Very truly yours,

Craig E. Frischman

CEF/jmd

(END OF OPINION)

Mr. Onorato:

Mr. President, I'd just like to comment briefly on yesterday and on the opinion that we finally received late yesterday afternoon.

Yesterday we were faced with a very difficult decision and a difficult choice.

Yesterday morning it was my strongest belief that there was a very real possibility that our Mayor of the City could possibly step down. I have been a strong advocate of keeping open primaries and trying to change the way Mayors have ascended to the Mayor's Office over the last 20 or so years.

Since yesterday's meeting, I heard, along with many here and across the City, the Mayor's public statement that she is definitely not stepping down. She is going to stay in that office until her term expires.

I have also heard your statements, Mr. President, both publicly and the conversation that you and I had, that you have no intentions of moving into the Mayor's Office that way and there was no hidden agenda, that if you run for Mayor you plan on winning it outright.

I recognize that we should always separate politics from the conduct of business; however, when there is a situation that has existed for as long as it has regarding the Mayor's position of this City, which is a very important position since we have a strong Mayor, I think it was an issue that should be addressed. And yesterday, at the time, it was the only option that I saw available to me to question that and to bring the issue forward. The issue has obviously been discussed over and over in the last 24 hours.

I feel that my goals and objectives of yesterday to have the open primaries are achieved. I feel that everyone has stated it. It's out there in the open that we are going to have an open primary. We are going to hear the discussions, points of views of the candidates, and talk about the real issues, be it public safety, housing or whatever the issue might be.

I recognize this legal opinion from the City and I also recognize another legal opinion that is on our desk from a firm in town. I also realize that one opinion goes one way and the

other opinion recognizes a different individual point of view, too. I think that they're good arguments. An argument can be made on both sides of this issue.

That isn't the point of why yesterday's vote took place. The real issue that we were dealing with yesterday, or I was dealing with yesterday, was the possibility of the Mayor stepping down. I'm convinced that that objective has been achieved. I think it would be destructive to move forward at this point with these legal opinions and that at this point I'm satisfied that my objectives have been achieved.

I appreciate all the public statements that were made, and I look forward to moving forward with City business and let's move ahead. And it was good to see that even in times when there was difficult decisions by all of us that this Council could sit down and hold a meeting, as we did today, and the City business does not come to a halt. We moved forward, continue to move forward, and it was never in doubt and there was no threat that the City was going to stop.

Saying that, I look forward to continuing to address the issues, the Mayor position being one of them, but also the current situation being with the crime and the housing and let's all of us move forward at this point.

Michelle Madoff:

I think we need some clarification. I had no idea what Mr. Onorato was going to say, other than the fact that we indeed have two opinions; one that came from Mary Conturo who gets paid by the Administration, and we all know the old joke about David Lawrence when he wanted a yes answer he would pull the question from his right pocket, and if he wanted a no he pulled the notepad from his left pocket.

We have two diverse opinions, one

saying that Council acted properly and that we would win in a court of law, and the other saying that we would lose.

Mr. Onorato has stated that he feels his objectives have been accomplished, and that is that the Mayor is not going to step down, and he had every reason to believe she was going to, as did I.

And the President of Council has said, Jack Wagner has said, that he would not want to be the Mayor without earning that right through an election.

So, the question arises, if the Mayor should decide or get ill, is Mr. Wagner going to step into that seat by virtue of his being the present President, and as we know the law is that he ascends to the Mayorship. I haven't heard Jack Wagner saying and perhaps that's a question that should be asked.

Would you appoint someone else to act as Mayor in the interim? I don't think so. I think that's a reasonable question.

The Chair:

I think the question, really, in regard to the motion to vacate the seat of Council yesterday, is invalid.

I have, quite frankly, stated my opinion and this meeting can go on, as far as I'm concerned, all evening, as it looked as if yesterday's meeting would also.

I was under the impression that we were reconvening this meeting to accept the legal opinion. I'm prepared to do that. I'm also prepared to debate a number of issues. It really is the will of this Council to do what it wants to do.

Michelle Madoff:

I'm not finished, Mr. Wagner. If you wanted to answer the question, I asked the question and I just wanted to straighten out, put into perspective, what Mr. Onorato has said.

It's his belief that you are in good faith not wishing to be the Mayor of this City without a due election and that the Mayor is not going to leave. But there is the possibility at any point that she could change her mind, number one. And there's also the possibility at any time that she could have a misfortune, which I certainly do not wish on her; I wish her good health far away from the City.

But I think we need to deal with another issue here, and that is, aside from what has happened yesterday, I think it was very productive in only one sense. I don't think any of us knew that there wasn't a clear, definitive ruling, or understanding would be a better word, that when a President of Council, he or she is never elected under our system by the public but is indeed elected by we, the Members of Council who are elected, should have the prerogative to say we are no longer happy and we would like to make the change. Unfortunately, that has not been clarified. We have one opinion that says yes; one opinion says no.

I think at another time not dealing with the issue of the present President being deposed, or somebody else becoming the President or Finance Chairman or what have you, just deal with the issue to clarify for future Councils. The courts need to decide is it possible to change Presidents in midstream, or is it not. I think that's something that we should start to deal with in the near future for clarification, not necessarily for this Council but for any Council. And I will, in the next couple of weeks, be raising the issue to see that we indeed go through the courts and find that out.

I think also that one thing needs to be said, and I feel a compulsion to say this to the public. In a sense, we owe the public an apology and the reason we owe the public an apology is that in the attempt to be gracious and not go through a litany of our unhappiness why we were making this recommendation or asking that the President step down, my belief was that somebody should have come to this table and said, "Mr. President, there are a number of issues that we are unhappy about.", and listed the issues as they were. You know what mine are, the cablevising the post agendas because that's where the real gut of Council is. Everybody is listening to this because this is the gut of what really goes on; the issue of the "B" contracts that don't come before this Council and we have no opportunity to ask questions; or to question why the recycling contract went from \$3 and was raised almost 900 percent. It never came before this Council.

That kind of thing should be addressed by the leader of the Council. The President of this Council must act on behalf of us. Many, many times we say, "This has gone on long enough" and "Mr. President, will you find out? Mr. President, aren't you outraged about this?" Basically there has been no outrage on behalf of the President.

I think that the public should have heard our reasons before we said and therefore we would ask the President to step down. It was a mistake on our part. I'm giving my own personal viewpoint.

Mr. Onorato:

You said "ours". Make sure it's "mine" and "I" when you speak.

Michelle Madoff:

I'm talking about how Michelle Madoff feels that's what should have happened. I think if somebody would have said, "We're unhappy about this, this, this, this and this, and therefore we're asking you to step down", I think the public would have understood why we were doing it and I think they would have been very sympathetic.

I ask the public to keep an open mind and to pay close attention, to tune into Council, and to come and be here today. If we did nothing else, folks, by attempting what seems to be a failed coup, we had the biggest audience we've ever had in the history of Council here to watch what was going on. It was a very orderly meeting, it was a very productive meeting. I don't think anybody that was here wouldn't think that we had meaningful input. We were a very knowledgeable Council as a body and I think that is the message that needs to get out.

I have one last comment. The credit for keeping this Council from being a circus is being -- We have anointed the President of Council for doing it. I suggest that any number of people sitting here in this Council, conducting this Council, we would not have had a circus for the simple reason that this is a different kind of Council for the most part. We don't believe in meeting in the back room. We don't meet and the decisions being made in advance. We really care about our communities, we're elected at-large, and this is a Council that works together. For most times we have five or six votes and it is a different ballgame than what happened before. And while I think that Mr. Wagner has conducted the meetings in a very professional manner, and for that I will take nothing away from the President, I think that that would have happened with a number of people chairing the meeting. Thank you.

The Chair:

I simply want to state, there was a motion put on the floor yesterday to vacate the seat of Council President. I was under the impression by a majority of people in this room that we were reconvening here to move on with Council business and City business. I would hope that is the intent of this meeting. If it is not the intent of this meeting, and if it's anything other than that, again I'm willing to talk about issues.

There has been a serious charge made towards me, towards vacation of this seat. I am willing to stand up and defend my professionalism of this body. I have represented this body professionally and will continue to, no matter whether even the majority of this body is against me.

I am stating that for the record. I want to make that perfectly clear. I'm very embarrassed about yesterday. I would hope that this meeting could end very soon and very respectfully. I do not want to see the circus enter this Chamber again like it did yesterday. I would hope that all of us keep in the forefront that we represent the people of this City.

Mr. Ricciardi:

I'll be very brief. Thank you for the floor.
Mr. Wagner.

Yesterday, obviously, we had a very difficult issue before us and that was a motion to vacate the Chair. Especially in a small body like this, it is extremely difficult because it is a small body in terms of numbers and we work very closely with each other including community groups abutting each other's districts.

Let me just say for the public, however, even though we had this issue before us to echo Mr. Onorato's sentiments, that business did get done here in City Hall. We had a very productive Legislative Meeting today, chaired by Mr. Cohen. We had a number of post agenda meetings, a number of meetings in the hall, and business did get done with communication between us.

So, let me just say that even though we dealt with a difficult issue, one that had emotions on both sides, one that had two different issues, both issues were well represented by Mr. Wagner and Councilmember Mr. Ferlo, both conducted themselves very professionally and represented each other's sides or issues to a certain degree of honor for this body.

So, in ending, I would just like to say that I'm looking forward to working with all of my colleagues to deal with the issues of today. Thank you.

Mr. O'Connor:

On what you mentioned, Mr. Wagner. I would respectfully ask Mr. Ferlo to withdraw the motion that he put out yesterday. I think this is, as Michelle said, a very good Council. I think sometimes maybe it can be an emotional job. I think sometimes maybe we can take for granted the things we do here on a day to day basis. But it's easy for us to forget the responsibilities that we have really affect the lives of so many people. Sometimes we may take that for granted.

There are so many issues facing us, as Mr. Onorato mentioned, that we should be discussing and I would respectfully as Mr. Ferlo to withdraw the motion so that we can clearly

keep it out of court and go about the business. If somebody wants to run for President, there will be a new election in January. There will certainly be a new President because Mr. Wagner said he will not be running. And that we put the people of the City first, and when I say the people of the City I'm concerned about my family, my own children, the quality of life that they face in this City, and I think we have a big responsibility to all of them and so far I think everybody has done a very good job.

I'd like to put yesterday behind us and I think the easiest way to do that is to withdraw that motion and we can go on starting business as usual.

Mr. Ferlo:

The interest and the business of the people always comes first and always has in these Chambers. I think it's very clear by today that it's business as usual. We conducted approximately a three hour meeting, both the Finance and the Open Standing Committees Meeting, chaired by Mr. Cohen, Finance Chairman. There was never any dispute about changes made in various positions, be they Finance Chair, Planning and Housing, General Services or others that you spoke about yesterday.

My actions yesterday were not unilateral actions of Councilman Ferlo. My actions yesterday were at the request, and on behalf of, a majority of Councilmembers who chose to take a particular stance regarding the future of this City Council. So there's no apologizing and there's no issue regarding my actions of yesterday, nor of my actions today. I acted at the request and in support and in conjunction with the majority of Councilmembers who have a very clear and

express viewpoint about the position of Presidency, where the Council needs to be right now, and some of the other issues that Mr. Onorato and other individual members have addressed through the media since yesterday's vote and meeting.

I want to make it clear that my future actions will be guided by what that majority wants to deal with in terms of any legal action, any further action based on either the Solicitor's legal opinion, and that's all it is, as well as the legal opinion, and that's all it is, an opinion, from the counselor from Thorp, Reed and Armstrong. They are both opinions. Both of them purport to have the basis for sustaining the actions in the Solicitor's case. She's ruling procedurally pointing to the Charter issues of the election yesterday where the Council President was removed and another meeting took place. It was the second legal opinion from Thorp, Reed and Armstrong Law Firm that suggests otherwise.

I'm saying to you and to all of the colleagues here today and to the public, the issue of future actions regarding yesterday's vote and whether or not we proceed legally is an issue that I will be guided by after discussion with a majority of Councilmember who took the action in the first place.

Mr. Onorato spoke very briefly about singling out the specific issue that was of a concern to him and what led him to be supportive of the action yesterday, which was not an action of a "gang of five" but an action of a majority of the members of this legislative body. Whether some agree with it because of politics or public policy, or whether some disagree with it, it was an action of the majority.

I certainly supported that concern. I think it was very clear, your comments notwithstanding, Mr. Wager, that a political deal was afoot, and I think that's very clear. And there's nothing that you can say, with all due respect to you at that podium today, that would change that. It is very clearly in my mind the situation that was afoot over the next few weeks. That certainly was part of the motivating factor, not only for myself, Mr. Onorato and possibly others.

Where I differ from my colleague, Mr. Onorato, in terms of my motivation, is clearly an issue of politics. I welcome the opportunity to talk with you further about that issue. You have taken to the airways last night; I heard you on a couple of radio stations. Obviously I disagree with some of the things you said. I was particularly offended with some of your characterizations of past actions regarding Council chauffeurs. In fact, some of your phraseology and your statements were just completely untrue. In fact, the record will reflect that it was myself in the past who urged the elimination of Council chauffeurs and even the elimination of an individual who you insisted remain on the payroll and is now off on compensation at public tax expense. We can debate that. I welcome the opportunity to debate that in the future.

I just want to state very clearly that my concerns are a matter not of personality, not of politics, but of policy. I feel that you have become a mouthpiece for the Administration. I think that's been true on the issue of police hiring and the immobilization by this Administration dealing with an issue like public safety and putting police on the street. We have parted

company, obviously, on the substantive issue of the fire stations and I feel that you have been doing the bidding of the Administration in that respect for the last six months, all with the political agenda, on your part, of gaining the office of Mayor, not through the election door in May but through the cooperation and support of Mayor Masloff.

That's what motivated my concern yesterday and, depending on the issues and obviously each Councilmember who supported those actions would speak differently about the issues that motivated them, I'm making it clear that it's not a question of personality or politics but a question of public policy and that's where we differ.

As far as the legal opinions, again, that's what they are. I will be guided in my actions tomorrow and in the coming weeks after discussion with the majority that acted yesterday following the initial recess of this meeting. Thank you.

The Chair:

I will respond and I want to say this. Yesterday, and I want to recall and the media is in this room, I clearly recall the motion to vacate the Presidency of Council. And I repeatedly asked for justification for the motion and there was no justification put forth.

After 24 hours in excess, I am beginning to hear a variety of opinions, of which the majority, if not all, are invalid and are lies, quite frankly.

Again, I would like this Council to be conducted professionally. I will stand up for the people of this City, in contrast to this Council. I have done it in the past and I will continue to do it in the future. It is my main objective that what goes on in this Chamber represents the desires of

the people of this City.

Yesterday was a total embarrassment to this City and what this Council is supposed to represent.

I am embarrassed right now for Mr. Onorato. He asked me to reconvene this meeting. He said that the purpose of reconvening this meeting was simply to put on the record the Solicitor's opinion and another legal opinion. Obviously it has evolved to other things.

I am prepared to stand here and debate any issue pertaining to the hiring of police, of which I have been the strongest proponent of doing that, along with several of you. In addition to keeping fire squads in this City, in addition to pursuing a number of other alternatives and challenging that Administration in many ways beyond this Chamber. And I will continue to do that, not to grandstand but to be effective and to represent the people of this City.

I am not a person that is outspoken. I am not a grandstander. I am a person of substance and I want to make sure that things happen in this City. And I do it in a multitude of ways. Now, some of you may want to challenge me in the way I conduct myself, but over and above all of that, and this is the most important thing I want to say, I have respected each one of you with dignity. I have given you respect. Each one of you I have given respect. Each one of you I have told you time and time again, and Mr. Ferlo, you know this better than anyone, that I firmly believe that this Council has to be a respected public body or any issue that's brought before it will not be dealt with properly.

I would hope that we can walk out of this Chamber today united in terms of the issues and the problems of this City. If we do not, we will not be effective. The chaos that existed yesterday is not in the best interest of the people of this town.

And I would hope that that has ended and will end with the adjournment of this meeting, and I hope that occurs. If not, there will be a continuation of what we had yesterday and, again, it does not represent the people of Pittsburgh.

And on the motion of Mr. Cohen

Council adjourned.

MUNICIPAL RECORD

Proceedings of the Council of the City of Pittsburgh

VOL. CXXVII

Tuesday, February 2, 1993

No. 5

Municipal Record

ONE-HUNDRED TWENTY-SEVENTH COUNCIL

JACK WAGNER President
MICHAEL PERRY City Clerk
LINDA M. JOHNSON-WASLER.... Asst. City Clerk

Pittsburgh, PA
Tuesday, February 5, 1993

PRESENT:

MR. COHEN	MR. O'CONNOR
MR. DARKINS	MR. ONORATO
MR. FERLO	MR. RICCIARDI
MICHELLE MADOFF	MR. WAGNER
	(Pres)

The Meeting was opened by the recitation of the Pledge of Allegiance to the Flag of the United States of America, and a moment of silent prayer for peace throughout the world.

I pledge allegiance to the Flag of the United States of America and to the Republic for which it stands, one Nation, under God, indivisible, with liberty and justice for all.

PRESENTATIONS

Mr. Darkins:

Mr. President and Members of Council, in recognition of this being Black History Month all over the world and throughout the City of Pittsburgh, we have those that we feel are worthy to be honored and to be recognized for their outstanding contribution that they have made through the years here in the City of Pittsburgh.

Mr. Darkins presents

No. 1913 WHEREAS, on September 1, 1924, J. Edward Trower and his wife Sara B., opened Trower Tailor Company, one of the first African American Dry Cleaners to offer pick up and delivery service in the City of Pittsburgh; and

WHEREAS, Trower Tailor Company earned the reputation as a cleaning business that provided quality service and appreciation for their customers; and

WHEREAS, by 1952 Trower Tailor Company owned and operated four cleaning establishments, two located in the Hill District, one in Homewood-Brushton and one in Homestead; and

WHEREAS, in 1980 Trower Tailor Company merged to one location in Homewood-Brushton, serving as an anchor for community growth and leadership, and offering employment to high school youth; and

WHEREAS, with rooted work ethics and vision, second generation Trowers expanded its Homewood-Brushton store to an owner occupied building that included monogram service, and an on-site dry cleaning plant; and

WHEREAS, even though Trower Cleaners and Monogram service was sold in 1991, the Trower family remains active in its operations, giving the new owners 67 years of experience.

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh applauds and congratulates brothers and sisters William H. Trower, Sara Trower-Martin, John E. Trower and Cecelia T. Epperson for keeping alive a family tradition that spanned for over sixty years as a business built on trust, pride in work and self, family cohesiveness and responsibility to community.

Mr. Darkins moved to adopt the resolution.

Michelle Madoff seconded the motion.

Which motion prevailed.

Speaker:

Thank you very much. I just hope that you remember that for 67 years we worked with and supported our community and we have no intentions of leaving. So I just want you all to know that the Homewood-Brushton community is still doing things and will keep on doing thing. And we will be helping.

Mr. Darkins presents

No. 1914 WHEREAS, Neil H. Dorsey's early exposure to business ownership empowered him with a solid foundation to own a family business and become an entrepreneur; and

WHEREAS, in 1923 Neil's father, Cornelius Dorsey, and his brothers, owned and operated Dorsey Brothers Music Shop in East Liberty until it closed in the 1930's; and

WHEREAS, in 1946 Cornelius Dorsey opened Dorsey's Radio and T.V. Service and Record Shop, one of only two African American owned record shops in the City of Pittsburgh; and

WHEREAS, located in Homewood-Brushton, the store was recognized as a reputable repair shop and a record store that stocked a variety of music, including sheet music; and

WHEREAS, in 1987 Homewood native Neil H. Dorsey assumed ownership of the Homewood-Brushton store, preserving the standards and service that the business was built on; and

WHEREAS, on January 11, 1988 Neil H. Dorsey opened the only African American Dairy Queen restaurant in the City of Pittsburgh; and

WHEREAS, the Dairy Queen is a community hub for meetings, youth activities and employs youth from the community; and

WHEREAS, Neil H. Dorsey's wife, Carolyn, owns and operates a State Farm Insurance Agency in East Liberty; their son, Marcus, is actively involved in the family enterprise, and son, Neil, served as Assistant Manager of the Dairy Queen Store prior to his enlistment in the United States Marines.

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh acknowledges the Dorsey family for its investment in the City of Pittsburgh and further commends Neil H. Dorsey and his family for adopting attitudes and values that reflect motivation, trust and determination.

Mr. Darkins moved to adopt the resolution.

Mr. Ferlo seconded the motion.

Which motion prevailed.

Michelle Madoff:

Question. Can I buy a radio? I need a small radio. I'd like to place an order.

Mr. Dorsey:

Thank you very much. This is quite an honor for me. It was explained to me exactly what the resolution means to the business and to the family and my sincere appreciation to the City of Pittsburgh and the City Councilpeople. Thank you very much.

Mr. Cohen presented

No. 1858 Resolution providing for the issuance of a \$1,800.00 warrant in favor of Bell of Pennsylvania for property damage incurred when a City police vehicle struck a utility pole at Hawk Way on November 17, 1991, payable from Code Account No. 46, Judgments.

Also,

No. 1859 Resolution providing for the issuance of a \$3,301.28 warrant in favor of American Rent A Ride in settlement of claim for automobile damage to a City leased vehicle involved in a collision with a tractor trailer truck on October 29, 1991 at the intersection of Rts 51 and 88, payable from Code Account No. 46, Judgments.

Also,

No. 1860 Resolution authorizing the Mayor and the City Solicitor to enter into an Agreement or Agreements for the hiring of

counsel to assist in the representation of the City of Pittsburgh for outside legal counsel at a cost not to exceed \$125,000.00, chargeable to and payable from Code Account 1075, Misc. Services, Department of Law.

Also,

No. 1861 Resolution providing for an Agreement or Agreements between the City of Pittsburgh alone and/or with the The School District of Pittsburgh and/or with the County of Allegheny and the Real Estate Appraiser(s) and/or Consultant(s) for professional and consulting services in connection with the City's sale or acquisition of real estate and real estate tax assessment matters involving real estate in the City, at a cost not to exceed \$25,000.00, chargeable to and payable from Code Account No. 1075, Misc. Services, Dept. of Law.

Also,

No. 1862 Resolution authorizing and directing the City Controller to create a special trust fund, be designated as the Pittsburgh Commission on Human Relations Trust Fund, for the deposit of funds derived from grants, donations, and monetary settlements of complaints of discrimination initiated by the Commission, and authorizing the use of such funds deposited therein for any and all expenses associated with Commission activities, supplies, materials, staff salaries and benefits, consultant fees, attorney fees, training and other appropriate expenses as so designated by the Pittsburgh Commission on Human Relations.

Also,

No. 1863 Resolution providing for new and/or existing Agreement(s) and/or Contract(s) for the provision of training and/or development services to City employees related to the use of Personal Computers and Personal Computer

software packages at a cost not to exceed \$35,000.00, chargeable to and payable from Code Account 1043, Misc. Services.

Also,

No. 1864 Resolution providing for new and/or existing Agreement(s) and/or Contract(s) for the provision of analysis, design, development, programming, and/or training services in conjunction with the feasibility, development, enhancement or implementation of automated systems for various City Departments at a cost not to exceed \$130,000.00, chargeable to and payable from Code Account 1043, Misc. Services.

Also,

No. 1865 Resolution providing for conveyance by the City of Pittsburgh of certain property, under Act No. 171 of 1984, entitled, "Second Class City Treasurer Sale and Collection Act", effective December 11, 1984.

Also,

No. 1866 Resolution providing for the filing of a petition or petitions for the sale of certain property or properties, acquired at tax sales in accordance with Act No. 171 of 1984, "Second Class City Treasurer Sale and Collection Act", effective December 11, 1984.

Which were severally read and referred to the Committee on Finance.

Mr. Darkins presented

No. 1868 Resolution Repealing Resolution No. 254, approved April 4, 1984, effective April 10, 1984, entitled "Granting unto Walter Brahler, 1416 Beckham Street, his successors and assigns, and privilege and license to construct, maintain and use, at his own cost and expense, a driveway in a portion of a paper street,

Stokes Way, in the 27th Ward, 1st Voting District of the City of Pittsburgh. As per Section 5 of Resolution 254, Grantee must remove said construction and replace street to its original condition at his own costs and expense.

Also,

No. 1869 Resolution providing for a Contract or Contracts, or the use of existing Contracts for the rental and repair of equipment in connection with the City of Pittsburgh's Capital Construction Division at a cost not to exceed \$400,000.00, chargeable to and payable from Code Account 3-01-35-0001-93, Capital Construction Division.

Which were read and referred to the Committee on Public Works.

Mr. Ferlo presented

No. 1869 Resolution providing for the issuance of a warrant in favor of Carl Marshalwitz, 725 North Beatty Street, Pittsburgh, PA 15206 in the amount of \$800.00 in payment for professional services rendered to Councilman Jim Ferlo for the month of January and February, 1993, chargeable to and payable from Code Account 1001-2, Salaries, Wages and Services of Council, As Needed, City Council, District 7. --(SPONSORED BY MR. FERLO)

Which was read and referred to the Committee on Finance.

Also,

No 1870 Resolution providing for the designation as a Historic Structure under Section 513 of Chapter 1007 of the Code of Ordinance that certain structure known as Engine House Number One and Thirty, more particularly located as 344 Boulevard of the Allies and 341

First Avenue (Block and Lot Number 1-M-115) in the 1st Ward, City of Pittsburgh.

Which was read and referred to the Committee on Planning, Housing and Development.

Mr. Ferlo moved to suspend Rule 8 by providing for consideration of the bills only until or after the 8th calendar day following the meeting in which the bills were introduced so the bills will be on the agenda this Wednesday.

Mr. Ricciardi seconded the motion.

Which motion prevailed.

Mr. O'Connor presented

No. 1871 Resolution providing for the letting of a Contract or Contracts or for the use of an existing Contract or Contracts for the furnishing and delivery of motorized fire equipment and for the refurbishing of existing motorized fire equipment for the Department of General Services, at a cost not to exceed \$225,000.00, chargeable to and payable from Capital Project 3-30-01-0002-93.

Which was read and referred to the Committee on General Services.

Mr. Onorato presented

No. 1872 Resolution providing for a Contract or the use of existing Contracts to purchase Load-O-Meter Scales for the Bureau of Police at a cost not to exceed \$14,000.00, chargeable to and payable from Code Account 1450, Equipment, Bureau of Police, Department of Public Safety.

Also,

No. 1873 Resolution providing for a

Contract or the use of existing Contracts to purchase Riot Helmets for the Bureau of Police at a cost not to exceed \$19,000.00, chargeable to and payable from Code Account 1450, Equipment, Bureau of Police, Department of Public Safety.

Also,

No. 1874 Resolution providing for a Contract or the use of existing Contracts to purchase Cycle Helmets for the Bureau of Police at a cost not to exceed \$52,890.00, chargeable to and payable from Code Account 1450, Equipment, Bureau of Police, Department of Public Safety.

Which were severally read and referred to the Committee on General Services.

Mr. Ricciardi presented

No. 1875 Resolution providing for the issuance of a warrant in favor of Allison Park Contractors in the amount of \$60,177.89 for construction of a retaining wall for Ledgedale Street, payable from Code Account EC 86-29.

Which was read and referred to the Committee on Finance.

Also,

No. 1876 Resolution providing for a Contract or Contracts, or use of existing Contracts, for the Rehabilitation of the Wilksboro Avenue Footbridge, at a cost range of \$25,000.00 or more, but less than \$75,000.00, chargeable to and payable from Code Account EC 93-300.

Also,

No. 1877 Resolution providing for an Agreement or Agreements, or use of existing Agreements, and/or a Contract or Contracts, or

use of existing Contracts and providing for the purchase of equipment and materials in connection with Various Swimming Pool Design and Rehabilitation, at a cost not to exceed \$425,000.00.

Also,

No. 1878 Resolution providing for a Contract or Contracts, or use of existing Contracts, and providing for Purchase of Materials and Equipment in connection with Lighting and Electrical Repairs at Various Locations, at a cost not to exceed \$78,300.00, chargeable to and payable from EC 90-145 - \$8,300.00 and EC 93-145 - \$70,000.00.

Also,

No. 1879 Resolution providing for a Contract or Contracts, or use of existing Contracts in connection with the Various Renovations of Public Buildings and providing for the purchase of materials and equipment for said projects, at a cost not to exceed \$150,000.00, chargeable to and payable from Code Account EC 93-226.

Also,

No. 1880 Resolution providing for a Contract or Contracts, or use of existing Contracts, for the Rehabilitation of Public Safety Facilities at a cost not to exceed \$236,000.00, chargeable to and payable from EC 87-41 - \$36,000.00 and EC 93-243 - \$200,000.00.

Also,

No. 1881 Resolution providing for a Contract or Contracts, or use of existing Contracts, for the Rehabilitation of Roofs of Various Buildings at a cost not to exceed \$200,000.00, chargeable to and payable from

Code Account EC 93-211.

Also,

No. 1882 Resolution providing for a Contract or Contracts, or use of existing Contracts, for Miscellaneous Restoration of Various Water and Sewer Authority projects, at a cost not to exceed \$100,000.00, chargeable to and payable from Code Account EC 93-569.

Also,

No. 1883 Resolution providing for a Contract or Contracts, or use of existing Contracts, for the Installation of Traffic Signal Equipment at Various Intersections, at a cost not to exceed \$75,000.00, chargeable to and payable from Code Account EC 93-47.

Also,

No. 1884 Resolution providing for an Agreement or Agreements, or use of existing Agreements, and/or a Contract or Contracts, or use of existing Contracts, and providing for the purchase of equipment and materials in connection with Major Court Renovations, and for the purchase of equipment and materials for said project, at a cost not to exceed \$115,500.00, chargeable to and payable from EC 88-41 - \$15,500.00 and EC 93-122 - \$100,000.00.

Also,

No. 1885 Resolution providing for an Agreement or Agreements, or use of existing Agreements, and/or a Contract or Contracts, or use of existing Contracts, and providing for the purchase of equipment and materials in connection with the Rehabilitation of Existing Play Areas and for the purchase of equipment and materials for said project, at a cost not to exceed \$544,000.00, chargeable to and payable from EC 93-369 - \$500,000.00 and EC 90-369 -

\$44,000.00.

Also,

No. 1886 Resolution providing for a Contract or Contracts, or use of existing Contracts, and for the purchase of equipment and materials in connection with the Safety Code Compliance Program and for the purchase of equipment and materials for said projects, at a cost not to exceed \$30,000.00, chargeable to and payable from Code Account EC 93-229.

Also,

No. 1887 Resolution providing for an Agreement or Agreements, or use of existing Agreements, and/or Contract or Contracts, or use of existing Contracts, and for the purchase of equipment and materials in connection with the Asbestos and Lead Testing/Abatement Program, at a cost not to exceed \$357,810.00, chargeable to and payable from EC 92-227 - \$232,810.00 and EC 93-227 - \$125,000.00.

Also,

No. 1888 Resolution providing for an Agreement or Agreements, or use of existing Agreements with Consultant or Consultants, for Architectural/Engineering Services in connection with Various City Projects at a cost not to exceed \$400,000.00, chargeable to and payable from Code Account EC 93-88.

Also,

No. 1889 Resolution providing for an Agreement or Agreements, or use of existing Agreements, with Consultant or Consultants, for Construction Inspection Services for Various City Projects at a cost not to exceed \$380,000.00, chargeable to and payable from Code Account EC 93-414.

Also,

No. 1890 Resolution providing for a Contract or Contracts, or use of existing Contracts for Rehabilitation of Various Landscape and Turfed Areas at a cost not to exceed \$200,000.00, chargeable to and payable from Code Account EC 93-114.

Also,

No. 1891 Resolution providing for an Agreement or Agreements, or use of existing Agreements, and/or Contract or Contracts, or use of existing Contracts, and providing for the purchase of equipment and materials, in connection with Ballfield Relighting at Various Locations at a cost not to exceed \$125,000.00, chargeable to and payable from Code Account EC 93-115.

Also,

No. 1892 Resolution providing for an Agreement or Agreements, or use of existing Agreements, and/or Contract or Contracts, or use of existing Contracts, and providing for the purchase of equipment and materials in connection with the Overlook Improvements, at a cost not to exceed \$25,000.00, chargeable to and payable from Code Account EC 93-95.

Also,

No. 1893 Resolution providing for an Agreement or Agreements with the Commonwealth of Pennsylvania, Department of Transportation, to acquire various computer software at no cost to the City of Pittsburgh.

Also,

No. 1894 Resolution providing for a Contract or Contracts, or use of existing Contracts, for Street Tree Planting at Various

Locations at a cost not to exceed \$100,000.00, chargeable to and payable from EC 93-143 - \$50,000.00 and CDEC 92-143 - \$50,000.00.

Also,

No. 1895 Resolution amending Resolution No. 1348, effective January 1, 1993 entitled "Adopting and approving the 1993 Capital Budget and the 1993 Community Development Block Grant Program; and approving the 1993 through 1998 Capital Improvement Program," by increasing EC 93-569 (Miscellaneous Infrastructure Improvement) by \$50,000.00 from \$50,000.00 to \$100,000.00.

Also,

No. 1896 Resolution providing for a Contract or Contracts, or use of existing Contracts, for concrete Step Construction or Reconstruction at various locations within the City of Pittsburgh, at a cost not to exceed \$286,000.00, chargeable to and payable from EC 90-212 and EC 93-212.

Also,

No. 1897 Resolution providing for a Contract or Contracts, or use of existing Contracts, for Preventive Maintenance on Various Bridges, including Pennsylvania Avenue Bridge (Council District No. 6), Elizabeth Street Bridge (Council District #5), Forbes Avenue Bridge (Council District #5), Herron Avenue Bridge (Council District #7), and Murray Avenue Bridge (Council District No. 5), and others as identified through inspections, at a cost not to exceed \$400,000.00, chargeable to and payable from Code Account EC 93-512.

Also,

No. 1898 Resolution providing for a Contract or Contracts, or use of existing

Contracts, for the Renovation and Repair of Ornamental Fences at various locations within the City of Pittsburgh, at a cost not to exceed \$100,000.00, chargeable to and payable from Code Account EC 93-462.

Also,

No. 1899 Resolution providing for an Agreement or Agreements, or use of existing Agreements, and/or a Contract or Contracts, or use of existing Contracts in connection with Major Renovations of Recreation Centers and Senior Citizen Centers; and providing for the purchase of equipment and materials for said Centers, at a cost not to exceed \$750,000.00, chargeable to and payable from Code Account EC 93-111.

Also,

No. 1900 Resolution amending Res. No. 401, eff. April 21, 1992, entitled "Providing for an Agreement or Agreements, or use of existing Agreements, with a Consultant or Consultants, for Structural Engineering Services as needed; and providing for the payment of the costs thereof," by increasing the total project allocation by \$100,000.00 from \$50,000.00 to \$150,000.00, chargeable to and payable from EC 92-57 - \$50,000.00 and EC 90-57 - \$100,000.00.

Also,

No. 1901 Resolution providing for a Contract or Contracts, or use of existing Contracts, and providing for the purchase of equipment and materials in connection with Major Repairs and Emergencies to Park Facilities and for the purchase of equipment and materials for said projects at a cost not to exceed \$200,000.00, chargeable to and payable from Code Account EC 93-144.

Also,

No. 1902 Resolution providing for a Contract or Contracts, or use of existing Contracts, in connection with the Grant Street Maintenance Program at a cost not to exceed \$20,000.00, chargeable to and payable from Code Account EC 93-497.

Also,

No. 1903 Resolution Repealing Res. No. 399, eff. April 21, 1992, entitled "Providing for an Agreement or Agreements, or use of existing Agreements with a Consultant or Consultants, in connection with the NBIS Update Bridge Inspection of the Fort Pitt Boulevard Eastbound Bridge at a cost range of \$20,000.00 or more, but less than \$30,000.00, chargeable to and payable from Code Account EC 91-57; providing for a Reimbursement Agreement or Agreements with the Commonwealth of Pennsylvania, Department of Transportation; and providing for the payment of the costs thereof."

Also,

No. 1904 Resolution Repealing Resolution No. 400, eff. April 21, 1992, entitled "Providing for an Agreement or Agreements, or use of existing Agreements with a Consultant or Consultants, in connection with the NBIS Update Bridge Inspection of the Schenley Park Bridges over Boundary Street and Panther Hollow, at a cost range of \$50,000.00 or more, but less than \$75,000.00, chargeable to and payable from Code Account EC 92-57; providing for a Reimbursement Agreement or Agreements with the Commonwealth of Pennsylvania, Department of Transportation; and providing for the payment of the costs thereof."

Also,

No. 1905 Resolution Repealing Res. No. 1151, eff. December 22, 1986, entitled

"Providing for an Agreement or Agreements with a Consultant or Consultants for Engineering Services in connection with the In-Depth Inspection of the Meadow Street Bridge; providing for a Reimbursement Agreement or Agreements with the Commonwealth of Pennsylvania, Department of Transportation; at a cost not exceed \$35,000.00, chargeable to and payable from Code Account EC 86-10; and providing for the payment of the costs thereof."

Also,

No. 1906 Resolution Repealing Res. No. 686, eff. August 29, 1988, entitled "Providing for an Agreement or Agreements with a Consultant or Consultants for the In-Depth Inspection of the Corliss Tunnel, at a cost not to exceed \$70,000.00, chargeable to and payable from Code Account EC 88-07."

Also,

No. 1907 Resolution adopting Official Sewage Facilities Plan for the Wiggins Street Homes.

Which were severally read and referred to the Committee on Engineering and Construction.

The Chair presented

No. 1908 Petition from the residents of the City of Pittsburgh requesting a public hearing before City Council on the issue of the Mayor's Annual Report on Military Spending and the impact on the local economy with regard to jobs and social services.

Which was read, received and filed.

The Chair:

Just to let everyone know, that hearing has been set tentatively for February 19th at 2:00

p.m. It has been set at a time that is convenient to a conference that is being held in Pittsburgh that day and the following day.

Mr. Ricciardi:

Mr. Wagner, along with yourself and my colleagues, I believe I received a written request so that meeting can be televised. I'd like to make the motion that we televise that meeting.

Michelle Madoff seconded the motion.

WHICH MOTION PREVAILED.

UNFINISHED BUSINESS

Mr. Ricciardi:

Mr. Wagner, I move to reconsider Bill No. 1830. The motion is to revert the context of the bill back to a two-year term based on the Charter which requires that magistrates be appointed in staggered terms.

Mr. Cohen seconded the motion.

WHICH MOTION PREVAILED.

The Chair:

Is there any discussion on the bill as amended or reconsidered?

All in favor? Opposed?

WHICH MOTION PREVAILED.

REPORTS OF COMMITTEES

Mr. Cohen presented

Bill No. 1909

Report of the Committee on Finance for January 27, 1993 transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 1793

A Resolution entitled, "Resolution providing for the issuance of a \$960.00 warrant in favor of Fay Edwards for automobile damage."

Which was read.

Also,

Bill No. 1795

A Resolution entitled, "Resolution providing for the issuance of a \$4,920.06 warrant in favor of Duquesne Light Company in settlement of claim for property damage."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. O'Connor
Mr. Darkins	Mr. Onorato
Mr. Ferlo	Mr. Ricciardi
Michelle Madoff	Mr. Wagner
	(Pres't)

AYES 8

NOES none

And there being two-thirds of the votes of Council being in the affirmative, the bills passed finally.

Also,

Bill No. 1807

A Resolution entitled, "Resolution pursuant to Home Rule Charter, Article 3, Section 312, Council shall initiate a formal investigation to ascertain and determine all administrative actions taken or to be taken regarding land acquisition, contracts, bidding, zoning approval, inter-governmental involvement, and other matters dealing with the land acquisition and construction of two new fire stations being constructed on Arlington Avenue and on Woods Run."

---(SPONSORED BY MR. FERLO)

Which was read.

Mr. Ferlo:

Mr. Wagner, on Bill 1807 regarding investigation. The notion here was to try to receive some written information from the Administration regarding the construction of two fire houses north and south of the river specifically asking for information about zoning and bidding and contracts, land acquisition through the URA, etc.

The Administration shortly before the meeting did send or deliver some information. I received it from Mr. Turner and I'm sure other Councilmembers received it. I would like an opportunity to review this information. It may indeed resolve some of the issues and we may not have to have what is conceived under this resolution the initiation of a formal investigation

by Council.

What I'd like to suggest is that we recommit the bill, take the opportunity to review the information from Director Turner. If it's adequate, then there's no issue, I'm happy, we've got the information and we can go on with business as usual. But I don't know what this packet of information contains so, accordingly, I'd like to make a motion to recommit.

Michelle Madoff seconded the motion.

Michelle Madoff:

I fully agree that it should be recommitted. I took a cursory review and my sense is that Mr. Ferlo is going to have to ask specific questions and get specific answers to the questions. We're getting generalized kind of answers that say, "I already told you. If you want it in writing I'll give it to you in writing." and the information does not address the specific issues.

I would suggest strongly that you formulate questions and that we have those answers immediately. Yesterday.

The Chair:

All in favor of recommitment? Opposed?

WHICH MOTION PREVAILED.

Also,

Bill No. 1813

A Resolution entitled, "Resolution providing for the issuance of a \$2,075.00 warrant in favor of Gloria Watts, in settlement of claim for property damage."

Which was read.

Also,

Bill No. 1814

A Resolution entitled, "Resolution providing for the issuance of a \$900.00 warrant in favor of Bernice Elinoff in settlement of claim for sidewalk damage."

Which was read.

Also,

Bill No. 1815

A Resolution entitled, "Resolution providing for the issuance of a \$1,086.00 warrant in favor of John Cibrone in settlement of claim for sidewalk damage."

Which was read.

Also,

Bill No. 1816

A Resolution entitled, "Resolution providing for the issuance of a \$1,117.98 warrant in favor of American Rent A Ride in settlement of claim for automobile damage."

Which was read.

Also,

Bill No. 1817

A Resolution entitled, "Resolution providing for the issuance of a \$1,128.28 warrant in favor of American Rent A Ride in settlement of claim for automobile damage."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. O'Connor
Mr. Darkins	Mr. Onorato
Mr. Ferlo	Mr. Ricciardi
Michelle Madoff	Mr. Wagner
	(Pres't)

AYES 8

NOES none

And there being two-thirds of the votes of Council being in the affirmative, the bills passed finally.

Also,

Bill No. 1818

A Resolution entitled, "Resolution further amending Resolution No. 892, Item A, effective August 31, 1992 to include a strip of land 3' x 100', 5th Ward, Block 10-J, Lot 337, 2106 Bedford Avenue. The purchasers, Lawrence Freeman and Barbara Drake Freeman, his wife, failed to make the balance payment."

Which was read.

Also,

Bill No. 1819

A Resolution entitled, "Resolution providing for conveyance by the City of Pittsburgh of certain property, under Act No. 171 of 1984, entitled,

'Second Class City Treasurer Sale and Collection Act', effective December 11, 1984."

Which was read.

Also,

Bill No. 1820

A Resolution entitled, "Resolution Repealing Resolutions, approved on various dates, authorizing the sale of properties in various Wards of the City of Pittsburgh, in accordance with Act No. 171 of 1984."

Which was read.

Also,

Bill No. 1840

A Resolution entitled, "Resolution transferring the amount of \$1,000.00 from Code Account 1856, Repairs, Pittsburgh Zoo, Index Code 185603 to Code Account 1851-1, Premium Pay, Pittsburgh, Index Code 185116, all in the Department of Parks and Recreation."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. O'Connor
Mr. Darkins	Mr. Onorato
Mr. Ferlo	Mr. Ricciardi

Michelle Madoff

Mr. Wagner
(Pres't)

AYES 8

NOES none

And there being a majority of the votes of Council being in the affirmative, the bills passed finally.

Also,

Bill No. 1841

A Resolution entitled, "Resolution transferring the amount of \$300,157.00 from Code Account 1843, (184309), Senior Citizens Program to Code Account SCPTF (254250), Senior Citizens Program Trust Fund in the Department of Parks and Recreation."

Which was read.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. O'Connor
Mr. Darkins	Mr. Onorato
Mr. Ferlo	Mr. Ricciardi
Michelle Madoff	

AYES 7

NOES none

(MR. WAGNER ABSTAINING)

And there being a majority of the votes of Council being in the affirmative, the bills passed

finally.

Also,

Bill No. 1844

A Resolution entitled, "Resolution authorizing the Mayor and the Director of Finance, for and on behalf of the City of Pittsburgh, to enter into a Lease Agreement with the Public Parking Authority of Pittsburgh, for the area underneath that certain block bounded by William Penn Place, Oliver Avenue, Smithfield Street and Sixth Avenue, in the Second Ward, City of Pittsburgh, for a term of 40 years."

Which was read.

Mr. Ferlo:

I just want to explain an abstention vote I'm going to make.

On Bill 1844 regarding this lease with Mellon Square with the Parking Authority, I think we sort of got gobbledygook at the table. I don't know why we're rushing to judgment on this lease. None of us really has had an opportunity, although maybe Councilman Darkins having the benefit of being on the Parking Authority Board probably is more aware of this issue. But I've not been able to review this complicated lease arrangement.

The Director at the table stated that this doesn't get resolved until the end of the year in terms of when the lease is up. There were some questions at the table about, I think yourself and others asked about parking rates at Mellon Square versus other locations. I had questions about the manner in which these various surface lots and garages are bid out. Basically, many of them are no-bid contracts with whoever.

If we're going to have to vote on this

today, I'm just indicating that I'm abstaining because I don't feel comfortable voting for something that I absolutely know nothing about.

Michelle Madoff:

From my review of the situation, it would seem to me that we ought to go ahead with it. But I would support and ask my colleagues to support Mr. Ferlo's request because, after 15 years of being here, it is amazing the kind of things that the Administration does to end run this Council and gives us double talk, double speak, and we think that we understand and we think we know because we believe what they say.

I think Mr. Ferlo and Councilmembers have every right to review the lease agreement. I probably will vote for it but I think that it is in order that we allow ourselves to be better educated. We're learning that when we vote for things like "B" contracts every two years or a recycling contract, we're not kept posted on the issues. And it appears to me that we had better allow the time. It's better to be safe than sorry.

The Chair:

Clearly, I want everyone to know that there's no motion on the floor yet to do anything, so we're proceeding to vote on the bill.

Michelle Madoff:

Point of Order. There was a motion to hold, and I just discussed the hold motion to state why I support it.

The Chair:

No, there is not a motion to hold on this bill.

Mr. Cohen:

Mr. President, I didn't hear a motion to hold but I would be receptive to that.

We did get a lease agreement on Wednesday and I just haven't had an opportunity to review that lease agreement. I would like to have the opportunity to do that.

So, I would certainly support either a hold motion or a motion to recommit. Recommit might be the better motion because we can get Director Hayllar to the table. So, I'll move to recommit.

Mr. Ferlo seconded the motion.

WHICH MOTION PREVAILED.

Also,

Bill No. 1845

A Resolution entitled, "Resolution providing for the issuance of a warrant in the amount of \$12,000.00 to Michael Moeslein and Mary Moeslein, his wife, c/o Anita J. Amaro, Esquire, their Attorney, Evans, Portnoy & Quinn, One Oxford Centre, 36th Floor, 301 Grant Street, Pittsburgh, PA 15219-6401, in full and final settlement of alleged property damage due to excessive water flow after heavy rainfall on Lopella Street, in the City of Pittsburgh."

Which was read.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably

to law, and were:

Ayes:

Mr. Cohen	Mr. O'Connor
Mr. Darkins	Mr. Onorato
Mr. Ferlo	Mr. Ricciardi
Michelle Madoff	Mr. Wagner
	(Pres't)

AYES 8

NOES none

And there being two-thirds of the votes of Council being in the affirmative, the bill passed finally.

Mr. Darkins presented

Bill No. 1910

Report of the Committee on Public Works for January 27, 1993 transmitting one resolution to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 1805

A Resolution entitled, "Resolution granting Carl and Linda Gasper with an address at 113 Carieann Drive, New Kensington, PA 15068, their successors and assigns, the privilege and license to construct, maintain and use at their own cost and expense, one double-faced business identification sign in the right-of-way of South Fifteenth Street in the 17th Ward, 3rd Council District of the City of Pittsburgh."

Which was read.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. O'Connor
Mr. Darkins	Mr. Onorato
Mr. Ferlo	Mr. Ricciardi
Michelle Madoff	Mr. Wagner
	(Pres't)

AYES 8 NOES none

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Mr. O'Connor presented

Bill No. 1911

Report of the Committee on General Services for January 27, 1993 transmitting two resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 1782

A Resolution entitled, "Resolution providing for a professional services agreement or agreements or for the use of existing agreements for the purchase of fuel for City owned vehicles, and providing for the payment of the cost thereof."

Which was read.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. Onorato
Mr. Darkins	Mr. Ricciardi
Michelle Madoff	Mr. Wagner
Mr. O'Connor	(Pres't)

AYES 7 NOES 1

(MR. FERLO VOTING NO)

And there being a majority of the votes of Council being in the affirmative, the bill passed finally.

Also,

Bill No. 1783

A Resolution entitled, "Resolution providing for an Agreement or Agreements and/or a Contract or Contracts, or for the use of existing Agreements or Contracts for the leasing of office space, and the necessary services and equipment required due to the relocation and housing of the various occupants of the Public Safety Building, and providing for the payemnt of the costs thereof."

Which was read.

Also,

Bill No. 1809

A Resolution entitled, "Resolution providing for an Agreement or Agreements or for the use of existing Agreements for an internship for graduate student(s) for a period of one year, from January 1, 1993, until December 31, 1993, to perform various energy related services for the Department of General Services and providing for the payment of the cost thereof."

Which was read.

Also,

Bill No. 1811

A Resolution entitled, "Resolution providing for a Contract or Contracts to purchase and install flooring for the Emergency Operations Center and providing for the payment thereof."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. O'Connor
Mr. Darkins	Mr. Onorato
Mr. Ferlo	Mr. Ricciardi
Michelle Madoff	Mr. Wagner
	(Pres't)

AYES 8 **NOES none**

And a majority of the votes of Council

being in the affirmative, the bills passed finally.

Mr. O'Connor presented

Bill No. 1912

Report of the Committee on Parks and Recreation for January 27, 1993 transmitting two resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 1842

A Resolution entitled, "Resolution providing for a Lease or Leases and/or a License or Licenses for the use of certain property for a Community Recreation Center located at 200 Tabor Street at a yearly rental cost not to exceed Nine Thousand Three Hundred (\$9,300.00) Dollars, payable from Code Account 1801, Miscellaneous Services, Index Code 180109, in the Department of Parks and Recreation."

Which was read.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. O'Connor
Mr. Darkins	Mr. Onorato
Mr. Ferlo	Mr. Ricciardi
Michelle Madoff	Mr. Wagner

(Pres't)

AYES 8

NOES none

And there being a majority of the votes of Council being in the affirmative, the bills passed finally.

Also,

Bill No. 1843

A Resolution entitled, "Resolution providing for a Lease or Leases and/or License Agreements for the use of certain property for Senior Citizen Facilities and/or Management Agreements for the provision of center services to senior citizens in an amount not to exceed \$201,222.00, chargeable to and payable from (SCPTF), (254250), Senior Citizens Program Trust Fund."

Which was read.

Mr. Ferlo:

Mr. Wagner, on Bill 1843 I'd like to make a motion to recommit the bill for two reasons. One, at the table regarding the whole issue of the senior citizens centers and their operation, both the leases of the actual facilities as well as this notion, in the language of the bill there's some reference to management contracts. The Administration made a commitment that they would forward information to us before today's vote, both on the lease information which I'm less concerned about, but also some wording in relation to this management contract potential.

The way the resolution is worded right now, the information would have the power to close a senior center and then contract out the operation of that senior center. They say they're not going to do that; I'll take them on their word but knowing their track record with other public facilities, I'm not willing to state that in the

resolution. I mean, if they're not interested in contracting out and if they're going to keep the existing staff and run the 30 odd centers that we run, that's what I would like to see. But I'm not going to vote for a resolution that if we pass it, they then, in fact, have the legal power to go out and enter into contract with some other third party to run a senior center.

We asked for information. I did not receive it; I don't know if any other colleague received the information.

Mr. Perry:

I didn't receive any.

Mr. Ferlo:

I'd like to make a motion to recommit so that we get the information.

Michelle Madoff seconded the motion.

WHICH MOTION PREVAILED.

MOTIONS AND RESOLUTIONS

Mr. Ferlo:

Very briefly, Mr. Wagner. Next Tuesday following the regular meeting there's a post agenda that I've requested. I think a lot of us on Council are concerned about the Summer Youth Employment Program. I know for the last few years that I've been here, fortunately the Administration has agreed to continually try to increase the pot of money to provide more job slots. That was the case last year.

There were some concerns on the part of the many neighborhood groups and agencies, and I know a number of Councilmembers also, on how the program worked. There were varying

degrees of success on the actual placement of a lot of the youth.

So, in order to just get a handle on it so we can all be much more aware and more early in the year than waiting until the last minute of April or May, I have asked that there be a post agenda on updating Council on the Summer Youth Employment Program and I did want to specifically invite some of the community groups that have been calling me asking what the status of the program is.

I have also invited the Housing Authority. There were some concerns about the nature of their program and whether or not the younger people were actually being provided a good opportunity to do productive work.

So, that post agenda is next Tuesday in the Chambers. Summer Youth Employment asks the Mayor's Office to be here, Michelle Jones, Melanie Smith from Personnel Coordinating Program, Mr. Washington from the Housing Authority. And if there are other people that you feel it's appropriate to invite, please let me know. Thank you.

The Chair:

Immediately following the legislative meeting a week from today. Thank you.

Mr. Onorato:

Mr. President, last Wednesday in the paper it came to my attention regarding Neville Island and the possibility that Ronald Chleboski, who is the Deputy Director of the Allegheny County Department of Air Pollution, he stated that he feels that there's a good chance they're going to give the Cosmo Corporation a license to burn tires on Neville Island.

It's a very big concern for me. As you

know, Mr. President, it's very close to Brighton Heights which is right next to the Alcosan problem which we're working on, and you're working on.

I'm very concerned that they give a license to this company. We're done some research in my office and I have some information here. It's pretty interesting that the parent company of Cosmo Cement Company is in Texas in an area where there's an ordinance that there is no tire burning allowed, yet they want to start doing this on Neville Island.

I guess what I'm asking today by resolution is if Mike could send a letter to Ronald Chleboski, the Deputy Director of the Department's Air Pollution Control Bureau, and ask him before he makes the decision, because he said he'll make a decision in thirty days, if he could brief this Council on exactly what he knows and why he wants to give a permit. Like I said, the citizens of Brighton Heights already have to deal with Alcosan; I don't think that we should be adding another tire burning facility a mile across the river. It would be like living right here and having something down at the Point burning tires.

I'm very concerned and I'm asking him not to give a permit until he briefs Council, if we could send that out. That's in the form of a motion.

Michelle Madoff:

Second for discussion. May I address my colleague?

Councilman Onorato, you may or may not know that I served for seven years on the Allegheny County Air Pollution Advisory Committee and worked with Ron Chleboski, and we would not permit in the Variance Board of Appeals to allow the burning of tires because it is

highly toxic and the smell is unbelievable.

Mr. Onorato:

"We" meaning you and Ron?

Michelle Madoff:

Yes.

Mr. Onorato:

He's going to permit it, according to this article.

Michelle Madoff:

He sits with us on the Advisory Board and you might ask him to pull the pile of evidence that says that it's not appropriate, and you might also sign my name to it so he'll know that we know that that's inappropriate. And a copy of this letter should go to the Allegheny County Air Pollution Advisory Bureau and to County Commissioner, Tom Foerster, who helped create that body. And the Board of Health.

The Chair:

On the motion to request a meeting and a briefing session, all in favor? Opposed?

WHICH MOTION PREVAILED.

Michelle Madoff:

I have a letter that I think is important to share with Council and I want to tell you how it came about.

You may recall that during the issue of my exposing to the dismay of the Administration that the recycling program, the cost of the contract had gone from \$3.77 to \$31.60, had never come to Council for either questioning or a

vote and that we didn't even know who got the contract and that it had gone up almost 900 percent. I think there was general dismay at this meeting because no Councilmember knew and neither did the media and, therefore, neither did the public.

I would like to just preface my statement by saying that we won one. Yesterday at the meeting on the "B" contracts Mr. Turner said, "I have to admit, even I didn't know it was awarded under a "B" contract and we're willing to consider and we will no longer put out that kind of contract as a "B" contract." And I understand they will not do that on the issue of the refuse pick up. The garbage and recycling contracts will no longer be "B" contracts.

So, this Council won one and I think that I brought this information to light for which they're trying to discredit me, if not attempt to destroy me, like I stole \$4.27 in stamps. I think people know what's going on here.

But, because of that exposure, the people who, of course, didn't get the contract called my office and I called the company who did get the contract and said to them that the people calling me had some concerns not about the awarding of the contract so much and that it wasn't a level playing field, but their concerns were the recycling program in general.

When I voted and helped the Mayor to start the program so we at least would have something going, we were supposed to be briefed over the last year and a half as to what was going on. Presumably, there was an issue of a portion of the recyclables could not go to recycling, they would end up in the landfill.

So let's just rehash that for a moment. The company who didn't get it, Chambers, who had the recycling and still has a recycling plant down in the Strip area, bid \$45. The company who did

get it, BFI, bid \$31.60. And the company who also didn't get it which is Waste Management, I believe bid something like \$18 and change. As I said, there wasn't a level playing field.

For people who may not know recycling problems and issues, every time you handle the material you contaminate it. For example, if you move it twice, the glass can splinter. And the glass splinters and there's dampness and it gets into the paper, it contaminates and that bundle can't be recycled. So, Chambers would be handling it on a one-time effort. It goes right into the recycling.

The contract with BFI, what they did was to lease some space near Chambers down in the Strip District so our trucks would deliver to them but, in essence, it was a transfer station for most of the material. Some of it, perhaps paper and so on, might stay there and be transferred to a recycling facility. But, basically, it's a transfer station. And in the process of transferring, handling it twice, you have more damage to the materials.

The other company misunderstood. The RFP thought if they had to go with something they didn't understand about the mileage of \$10 versus \$1 and when I asked the question, "How come you didn't know?" I understood what the \$10 was. The \$10 was obvious that we pay for the trucks, we pay for the drivers, we pay for the workers comp and all the expenses. Of course it's \$10 a mile. They didn't quite understand that. And when I asked the question, "Why didn't you understand?", the person who was bidding was new and I spoke to Mr. Turner and Comany and they said, "Oh, but there was a pre-bid conference. We had them. We briefed everybody." I said, "When was it?" He said, "Two years ago."

Now, my understanding from Waste Management is, had they all had the opportunity or had they comprehended what was happening

had there been a contract in place that said everything will come from the central source, or to the central source in the Strip District, they felt that they could have perhaps done a little better than BFI, which is \$31.60. We'll never know that, not for two years at any event.

The contamination is 20 to 30 percent and it could be cut back to 12 to 17 percent. Presumably, the rest is being recycled. But we have no evidence. Nobody has seen the slips that say, yes, it's going to recycling facilities.

The problem with the blue bag, as I've heard from the three companies who called me, and we have as evidence, and when Mr. Turner came to my office after he attacked me with McCarthy tactics saying I burned up the wires to them and I'm lying, etc. He saw that there was the blue copy of the messages saying the companies called me. And what they called about was to say that the present system of separation is so labor intensive that the always have to have between four and six extra people separating the garbage and the recycling. And what happens when our refuse people, who are really upset and they should be, go out to a house and if the garbage would be exposed they would be able to see that there is a dirty diaper or other horrible contaminants. They can't see through a blue bag. They cannot see through it.

Now, if they do what other communities around us are doing where they have a container that separates comingled and garbage, and newspapers are separate, they can look at the comingled and say hey, there's a diaper in there, we're not going to take it.

Because of this and because of the fact that rather than having some dialogue, and what we were going to have is a dog and pony show which enlightened no one unless you were very novice to the recycling process, I don't think there was anything significantly new. We knew that

obviously the costs were going to go up because there's such a glut of recyclables. Not only ours but everybody else's. How are you going to get rid of it all? There's obviously got to be other alternatives like financial incentives from the Federal Government that would get companies to remove the ink, would make it profitable, and bottles and cans, etc., recyclable.

So, at that point, because the three companies were coming to Council to tell us what we could do to better handle the present system, and what other systems we might consider, I contacted GRIP, Group for Recycling In Pennsylvania. Lori Keefer has just lost her husband and she's not able to take on this project. But I asked her if she would check around and see who could do it. We had a letter that came from a company that I am not at all familiar with but comes recommended by her, so I have to assume that they're pretty good. It says:

"Dear Ms. Madoff:

I was contacted recently by a representative of Group for Recycling In Pennsylvania (GRIP) regarding developments with Pittsburgh's municipal waste, or more specifically, recyclables collection system.

This contact prompted my conversation with you relative to how Gershman, Brickner and Bratten, Inc. could assist the City in developing a more cost effective and technically viable collection system. As I mentioned in our discussion, GBB is a solid waste management consulting firm with a regional office in Camp Hill, Pennsylvania. GBB focuses exclusively on solid waste management and our Camp Hill office has worked extensively with ten Pennsylvania counties in developing and implementing county municipal waste management plans.

GBB's Pennsylvania office has also

worked with numerous municipalities throughout the state in developing and implementing recycling programs."

Excuse me, if I did that, you'd be saying, "You're out of order." You listen to other people but they're not listening to you. I just wanted to make that point for the listening audience.

The Chair:

Councilwoman Madoff, you have the floor and you've had the floor. If you want to continue with the floor, please stay on the issue.

Michelle Madoff:

I just thought it was important to point out that when I'm ruled out of order that's a game plan.

The Chair:

Councilwoman Madoff, you're absolutely wrong. Your colleagues give you the courtesy all the time.

Michelle Madoff:

I noticed. Would you like to apologize.

The Chair:

Councilwoman Madoff, you either have the floor or you don't have the floor.

Michelle Madoff:

I'm trying.

"Specifically, GBB was instrumental in assisting Center County Pennsylvania establish the first County-wide materials recovery facility in that state. We've conducted more than 20 MRF procurements for communities across the

United States.

We understand the issue involved with municipal waste management programs and are sensitive to local conditions. Given that two of GBB's principles have family members in the Pittsburgh area, GBB has kept abreast of solid waste related developments in the City.

We are prepared at the convenience of the City Council to present a briefing on how GBB has assisted other cities throughout the United States evaluate collection programs and recommend measures to improve efficiencies and to improve or reduce costs.

I believe from what I know of Pittsburgh's situation that there may be an application for this type of service. GBB would brief Council on how effective different systems, bag based versus container, had been in different city settings. Additionally, GBB would discuss how Pittsburgh's system could be evaluated with an eye to enhancing the efficiency and cost effectiveness of the collection."

We could go on. They talk about all the places they've done it. They would do it sometime in February. Basically, I understand in some communities they recommended keeping the blue bag; in others they recommended not doing it.

Because I have been talking about the recycling problem, other people in the business have called. One operation from the University called and said, "We would very much like to come in and do a briefing to Council and do a preliminary study." I said, "What would you charge us for that?" They said, "Between \$75,000 and \$125,000." I said, "You've got to be kidding." Of course, we must remember that when Maribeth got her first study, if memory serves me well, Mike, wasn't it \$90,000 and we went bananas. We didn't need \$90,000 to get a

program going. Any one of us could have done that.

My understanding, and we're waiting for a FAX to come, is that it would be very insignificant and it would be very low. I think somewhere about \$1,000 to \$5,000, depending on what we want. If we want just a briefing, we pay them for the travel and their meals to come in for a day. It might be \$1,000. And it seems to me that after a year and a half we have a responsibility to our constituents to indeed take a hard look at where we are at this point since nobody briefed us.

I've talked to my colleagues. There seems to be a great deal of support to do this. I'm not introducing a special resolution or asking the President of Council to have a consulting firm because I need to see essentially what they're going to charge us, whether that is a fixed figure.

I have their book which I'm going to give to Mike so that anybody can borrow it. You can sign it out to them, Mike, so that you don't have to make copies because the cost of Xeroxing is getting ridiculous.

I'd like you to think about it and see what we want to do and I just wanted to share that with everybody because I think it's an important interaction.

On another matter. Before the madness that took place here in Council last week, I had started to talk about the high crime rate in the City and have prepared a chart or a list that shows what community in each City has the highest number of offenses. I may have mentioned, as you may know, that there were 2,874 of unknown and they related to the 64,458 total for the City of offenses. We have a breakdown of the major and minor offenses but we just did total and the summary.

In speaking to Lou DiNardo, we found

out that the reason these unknown were listed as unknown is that somebody may have had their trunk jimmied and they may have been in three parts of the community and not even notice it until the evening and not know where it happened. Or the office didn't fill out the details on where Joe's Bar was located.

But taking that small percentage which is somewhere like two to four percent, depending on how you look at it, out of the total of 64,458, nevertheless, anybody who would like to know how their community ranks, and I think I've given copies of this to my colleagues, the Central Business District at 4,410 is unconscionable. We need to start addressing some police officers Downtown between the hours of 3:00 and 5:00.

East Liberty becomes the next highest with 2,549. Shadyside with 2,531. We know that that's basically car thefts.

But the thing that concerns me more than anything else is that in a community in my district called West End, there is a population of 401 people and they've had 141 offenses. Granted, the offenses may not have been committed by the people in the area, but they certainly had it done to them. That's a 35 percent ratio when you take the population.

In East Liberty, which is almost as high as the West End, it's a 32 percent ratio. But when you get into places like Shadyside, it's only a 19 percent ratio. It's not really as horrific as it is in those other areas.

I understand that the '92 data that we'll get will be more complete. And Director DiNardo is going to work with us, as he always has, to give us specific information. If there's special information you want, I think that you might ask to include it in '92 because they're preparing the data as we speak.

I am going to send a copy out to anyone in any community group that would like to have a copy, and we'll send it through the mail room, and we'll stand there and make sure they don't open the mail. But if you would like to get that information, you may call my office at 255-2131 and we will be happy to supply you with it.

Incidentally, I think what we're seeing just in the last five or six days of drive by shootings and what's going on, I've had some calls from McDonalds who tell me that the problem is not in the evening, as you stated, it's really three to five in the afternoon. And they absolutely have to have some police officers Downtown. Some of the communities are begging us to give them round the clock, visible presence of our police officers and I know that we have a shortage of police officers but, somehow or other, I don't care how it happens, I don't care what kind of overtime we have to pay, we have to provide that to the communities.

My legislation on the curfew is coming up. I think everybody has seen the statement in the editorial which sort of summarizes my sense of the anti-loitering bill. Perhaps they can both be incorporated. We need to work together and not at cross purposes and I would work with Mr. Dan Onorato and Gene Ricciardi to see what we can do. But I think our bill has a more constitutional basis. It doesn't violate the first amendment.

Whatever we do, I think the time has come that we have to act since the Administration is not and I would urge my colleagues to start thinking before that hearing on the curfew. That date has been set, has it not, Michael?

Mr. Perry:

It has been set.

Michelle Madoff:

Would you please tell the date?

Mr. Perry:

About three weeks from now.

Michelle Madoff:

About three weeks from now. Call 255-2138, that's the City Clerk, so that you can be a speaker at that hearing if you wish to do so.

I'd also like to make an official request that we do a display ad. I think this is of such importance to the community and I have no objections to including the anti-loitering in it so we do it all at one time. But I think we need a display ad and I'd like to make that as a motion and I hope somebody would second it.

The Chair:

What is the motion?

Michelle Madoff:

The motion is to put a display ad saying that we're having a hearing on curfew. The hearing will be, Bill Urbanic just gave this to me, Thursday, February 18th at 10:00 a.m. If you want to be on the agenda, contact Mike Perry at 255-2138.

We're sending out copies of the legislation and a summary to anybody who would like to have it. We're going to widely distribute it throughout the City, that was what my stamps were for, and we're now ready to go with this piece of legislation.

I think that we're at a crisis in this community. I said two years ago that we need to call in the National Guard.

Also, I'd like to have that meeting televised.

Mr. Ferlo seconded the motion.

WHICH MOTION PREVAILED.

The Chair:

I'm still unclear about the other motion.

Michelle Madoff:

Mike was saying that there's no problem on doing a display ad, so I don't know whether we need to vote on that. He said no. So, the motion is just to televise.

And I would urge my colleagues to really get to people in their own communities and have them come and express their opinions and to advise whoever is going to chair that meeting, I presume it will be the President of Council, to tell him about any issues that you wish to have included or how you wish to make sure that all input is achieved.

The Chair:

Okay. While we're on public hearings, if I may just interject, I know Mr. Ferlo has a bill on billboard legislation. That hearing was scheduled for this Thursday. It has been cancelled. I want to state that because of a request from the Planning Commission due to the fact that they need another public hearing. And if we were to have our hearing, we would have to follow up with a second public hearing. Consequently, it has been cancelled and will be rescheduled after their public hearing.

Mr. Ferlo:

Mr. Wagner, I thought the hearing was

rescheduled for March 18th at 10:00 a.m.

The Chair:

Is that the date, Mr. Perry?

Mr. Perry:

Yes.

The Chair:

Okay, March 18th at 10:00 a.m. Do you wish to have that hearing televised?

Mr. Ferlo:

Yes. I would like to make a motion to televise that hearing.

Michelle Madoff seconded the motion.

WHICH MOTION PREVAILED.

Mr. Ferlo:

Very briefly. I had asked last week about meeting in executive session regarding personnel in Council District 6. I would like to see that meeting take place. I know there are individuals working out of that office. I question by what authority we're actually making payment to these individuals. I would like to hopefully try to resolve that very quickly.

The Chair:

We will have a meeting this week and those people are presently being paid under the authority of the President of Council.

Mr. Ferlo:

Fine. But I would like to see the meeting.

The Chair:

Thank you. And I will try to get a convenient date. Mr. Perry will be seeking out a convenient date and time for all Councilmembers.

Michelle Madoff:

As you know, there was a meeting yesterday with the Administration, the public doesn't know but Councilmembers know, to discuss "B" contracts and how "B" contracts are awarded. The made a pervasive argument for expediting and saving dollars.

Mr. Ferlo:

Persuasive or pervasive?

Michelle Madoff:

Both.

I have heard only one side of the issue. I have not heard the other side. I know that I have heard from many of the unions and that's really not my issue about how they feel we're in violation of the law, which would be an issue. My concern is that little companies who are starving, who are part of the fabric of this community, would have equal access.

We need to pursue the "B" contracts further, and let me give you one simple one that everybody can relate to. Under "B" contracts we award the repair of our automobiles to one vendor, one place that can repair them. And Brother Richard informed me, and he confirmed this yesterday at the meeting, that they call that vendor and say, "We have a car here that has a dented light and a bumper; what do you think that's going to cost?" The vendor might say, "Well, that sounds like a \$2,000 job." And we say, "Okay, go ahead and do it."

They're not any happier than I am with that procedure and I have suggested, for example, that what might be considered is that every Monday the people who are, as you know all contracts must go to the lowest responsible bidder, that you have a series of responsible bidders as we do in demolition. And those responsible bidders, if there's 100 of them, January might go to one group and February to another and so on. But if there are just ten of them, the ten would show up down at the garage and they would have a form that they put in a sealed envelope indicating that they would fix the Ford that was damaged, whatever the damage was on it, and they put a number. It might be 2,000 but it might be 200. It might be 500 and it might be 1,200. They put it in an envelope and we would take the lowest responsible bidder because they'd all be certified as being responsible.

The significant dollars from that could go a long way in having whatever personnel we need to prepare documentation to go out on "B" contracts so that \$300,000 that is estimated to go to the contractor who is doing Grandview Avenue would come before this Council for questioning and a vote. The reason it is not is, presumably, according to Alex Sciulli who I think would be wonderful in the private sector because he knows how to expedite and get the work done, but he's not dealing with the public dollar. We need to offset any expenses to do it within the framework of the law and being just and fair.

It seems to me that there is a lot of money being wasted. For example, I would like to see another 20 people doing our tax audits so that those who aren't paying would pay because we compare tapes from the State and so on. And that money, the people who do the audits get something like \$21,000 a year plus benefits. But they bring in a minimum of ten times what they

are paid. If there was a prize system at the end of the year to go on a trip to Hawaii, maybe they'd bring in 20 percent of their salary. But putting 10 or 20 more people on to do this job wouldn't cost the City one penny, not one red cent. Maybe a chair and a desk, but we would be able to bring in significant dollars so that we could handle contracts from the City that they don't want to burden us with.

The bottom line of all this is that contracts that are of tremendous dollar value, meaning million dollar contracts, \$300,000 contracts, do not come to this Council. We do not vote on it. We do not ask questions because of the "B" contract process.

I will be doing some research on the other side and get back to this Council when I know a little bit more.

The Chair:

Thank you.

Mr. O'Connor:

Can I address Mr. Ferlo's post agenda on Tuesday?

I don't know if you were aware, but we had a two hour briefing in the Mayor's Office on Friday concerning youth jobs in the summer. And although it was rushed and put together very hastily, I think they did a fairly good job and I commend them for this year being on top of it.

One of the key things we came out with was to be better organized this year and also to extend, if possible, to fall and winter.

What I suggested, and maybe you're alluding to it too, is that Council should really take a lead because no one knows our neighborhoods better than we do, to see where

these jobs and who is running the programs.

At your post agenda, are you asking community leaders who had been involved last year? What I'm asking you is, is it going to be a working post agenda with some of the leaders?

Mr. Ferlo:

First of all, I didn't mean to imply that the Administration hasn't done a great job. In fact, I think the Administration last year in particular heeded Council's advice and our commitment to allocate additional dollars. My concern, generally, is that we, and I realize there was an internal Administrative meeting with some of the Councilmembers, and that's all well and good, but I just want to make it clear that all of Council is fully briefed.

Also, we have a number of concerns as elected officials about the Summer Youth

Program. I think we'd like to leave our imprint on exactly what's going to happen. I want to be assured that indeed there is enough of a commitment level to supplant Block Grant monies --

The Chair:

Excuse me. We have to adjourn the meeting. We no longer have a quorum.

Mr. O'Connor moved to approve the Minutes of Monday, December 28, 1992 and Tuesday, January 5, 1993.

Mr. Cohen seconded the motion.

Which motion prevailed.

And on the motion of **Mr. Ferlo**

Council adjourned.

MUNICIPAL RECORD

Proceedings of the Council of the City of Pittsburgh

VOL. CXXVII

Tuesday, February 9, 1993

No. 6

Municipal Record

ONE-HUNDRED TWENTY-SEVENTH COUNCIL

JACK WAGNER President
MICHAEL PERRY City Clerk
LINDA M. JOHNSON-WASLER.... Asst. City Clerk

Pittsburgh, PA
Tuesday, February 9, 1993

PRESENT:

MR. COHEN	MR. O'CONNOR
MR. DARKINS	MR. ONORATO
MR. FERLO	MR. RICCIARDI
MICHELLE MADOFF	MR. WAGNER

(Pres't)

The Meeting was opened by the recitation of the Pledge of Allegiance to the Flag of the United States of America, and a moment of silent prayer for peace throughout the world.

I pledge allegiance to the Flag of the United States of America and to the Republic for which it stands, one Nation, under God, indivisible, with liberty and justice for all.

PRESENTATIONS

Mr. Cohen:

Good morning. Would Barbara and Jack Shore and their relatives from Siberia come up here, please? It is my pleasure to read the following proclamation.

Mr. Cohen presents

No. 1949 WHEREAS, Dr. Barbara K. Shore is retiring from the University of Pittsburgh School of Social Work after an affiliation with the University that spans 28 years; and

WHEREAS, Dr. Barbara K. Shore was Director of the Doctoral Program at the University of Pittsburgh School of Social Work from 1975-1978, and again from 1984 until the present; and

WHEREAS, Dr. Shore, for 49 years has devoted her professional life to helping the disadvantaged and has served on many boards including the boards of Allegheny County Children and Youth Services, the American Civil Liberties Union, the Community Technical Assistance Center (CTAC), CONTACT Pittsburgh, and many, many others; and

WHEREAS, Dr. Shore has received numerous awards and honors for her outstanding work from all parts of the Pittsburgh Community including the Hand-in-Hand Martin Luther King Award in 1976, the Pennsylvania Social Worker

of the Year in 1984, Woman of the Year by the YWCA in 1986, the Humanitarian Award from the National Council of Christians and Jews in 1990, and more recently the Continuing the Tradition Award, co-sponsored by the Urban League, Hill House, United Jewish Federation and the Jewish Health Care Foundation in honor of Dr. Shore's contribution to building bridges between the African American community and the Jewish community.

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh hereby recognizes and commends Dr. Shore for a lifetime devoted to the betterment of the community; and

BE IT FURTHER RESOLVED, that the Pittsburgh City Council wishes Dr. Shore well on the occasion of her retirement and declares Tuesday, February 9, 1993 to be "Barbara K. Shore Day" in the City of Pittsburgh.

Mr. Cohen moved to adopt the resolution.

Mr. Ferlo seconded the motion.

Which motion prevailed.

Mr. Cohen:

It's really an honor to be able to present this award because Barbara Shore has done so much for our community and even though this is an occasion of her retirement I know full well that Barbara Shore is not going to retire and is going to continue to work for the betterment of our community.

Barbara, thank you so much for all the years of service that you've given to all of us, to the City of Pittsburgh, and really to our region.

It's a particular honor this morning because not only is Barbara's husband, Jack,

here, but also their first cousin named Issac Share and his daughter, Olga, from Siberia. I think it was within the past year you went to Siberia to search out their cousins and had a wonderful family meeting there in Siberia, and they came here to see our City and our Country. So, welcome, the two of you, to the City of Pittsburgh. It's just a double joy to have you here and them here at the same time.

Congratulations, Barbara.

Dr. Shore:

Let me just say a very brief thank you so much for such a lovely honor. I'm told that retirement is a very honorable estate. We haven't yet been able to experience it because we have been busy with Olga and Isaac traveling about the country introducing them to long lost relatives. But I know that I will look forward to it. We'll look forward to being able to go to many more meetings and not have to rush out of the door quite so quickly, and that will be a pleasure.

I thank you so much for this recognition. I deeply appreciate it.

The Chair:

Thank you all.

Mr. Darkins:

Mr. President and my colleagues on Council, as you know, we've been doing a series through the month of February commemorating and also celebrating those that have made a significant contribution to the African American communities through the years. Today our honoree is of such.

Mr. Darkins presents

No. 1950 WHEREAS, Lee's Floral

Shoppe is the oldest existing African American floral business in the City of Pittsburgh, located at 2117-2119 Centre Avenue; and

WHEREAS, the shoppe opened for business on November 1, 1937 and registered with the City of Pittsburgh under the fictitious name of Lee's Floral Shoppe in January, 1938; and

WHEREAS, entrepreneur John Wesley Lee, a graduate of the Penn State University, Horticulture School, opened the shoppe with limited funds, determination for success, and a commitment to develop a family business; and

WHEREAS, John's brothers, Alexander Leon, James Townsend and Charles Carroll, and sister, Lois, joined the business and as a team earned the reputation for responding to requests with courtesy, customer satisfaction and preparing arrangements with artistic and creative design; and

WHEREAS, Lee's Floral Shoppe has provided over 250,000 floral arrangements for weddings, receptions, funerals and special occasions.

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh acknowledges Lee's Floral Shoppe as a business that dedicated its existence to meet the needs of others, remaining at the same location for 55 years, and further commends sister Lois Lee Dorsey for continuing a family tradition after the death of her brothers.

Mr. Darkins moved to adopt the resolution.

Mr. Ferlo seconded the motion.

Which motion prevailed.

Ms. Dorsey:

Thank you so very much. To Councilman Darkins, my entire gratitude.

The legacies that my brother left me, I'm so happy to be able to continue on in the spirit that they had the business going. I hope I can continue and keep going and doing for the community as they have done for 55 years. Thank you.

Mr. Darkins:

Would Julia Gaines and her son, George Gaines, come forward, please?

I want to contain my composure. This particular group gets me a little emotionally worked up because of my heritage and it has great sentiment to my colleagues on Council and to the President. I want you to understand that.

Mr. Darkins presented

No. 1951 WHEREAS, Gaines Funeral Home, located in East Liberty, is the oldest existing African American owned funeral home in the City of Pittsburgh; and

WHEREAS, in 1919, George W. Gaines opened Gaines Funeral Home at 2638 5th Avenue and after several years relocated to Penn Avenue, moving again in 1925 to Homestead and making its final move in 1938 to its present location on Auburn Street; and

WHEREAS, Gaines Funeral Home became the largest funeral home in the area and is credited with introducing the first lead car, flower car and individual family parlors and is also known for many significant contributions to the funeral home industry; and

WHEREAS, after the death of Mr.

Gaines in 1953, his wife, Julia H., continued serving families and reared son George W. to learn the family business, and both are licensed morticians; and

WHEREAS, the 74 years of service provided by the Gaines Funeral Home, is a testament to a commitment built on high standards, sensitivity, trust, and personalized service and care for the deceased; and

WHEREAS, Mrs. Gaines holds an Honorary Doctorate Degree from Daniel Hale Williams University, located in Chicago, Illinois and many honors from organizations and churches for her professional service to the community.

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh compliments Gaines Funeral Home for responding to the needs of Pittsburghers for 74 years and further recognizes Gaines Funeral Home for being a leader in the African American community and for the many contributions made to the funeral home industry.

Mr. Darkins moved to adopt the resolution.

Mr. Cohen seconded the motion.

Which motion prevailed.

Mr. Darkins:

It's with great honor to make this presentation and I just want to let my colleagues on Council, Michelle, to talk about this because Ms. Gaines is a woman and she's an African American woman.

But I want my colleagues on Council and the President, those that are listening and those that are watching this on television, to know that some 41 years ago when Duane Darkins started

out in the ministry at 313 Larimar Avenue in a store front, not a church but a store front, when I had no one to preach to, empty chairs, and nobody in that building, they thought I was out of my mind, and when I had no finances, it was Gaines Funeral Home that paid my gas bill. It was Gaines Funeral Home that took care of the electric bill. And it was Gaines Funeral Home that paid the rental for me 41 years ago.

God bless you, Julia.

Ms. Gaines:

Good morning. It's very thoughtful of you, Duane, to consider me as one of your honorees today. It's remembrances like this that increases my faith.

Today is a day of joy for me and my family. I've done everything in life through faith in God and mankind. Faith can help one discover joy because when my husband died and left me with my five year old son, I thought the whole world had come to an end. But with faith and prayer, and with God's help, I was able to continue our business with a wonderful staff and many friends who placed their loved ones in our care.

Today is a day of thanks to those who helped us through our hard times and good times these past 74 years. God willing, we hope to celebrate our 75th year next year.

My son, Toby, stands by my side all the time. He's a great help to me.

Thank you again, City Council, for this honor.

Mr. O'Connor:

Will Louwanda Harris, Cheryl Harbor and Kevin Johnson please come up?

It's my pleasure again to honor an outstanding woman, an African American woman, who has lived in our community in Hazelwood and has helped it come together and has held it together. It's a town that has lost its steel mills but hasn't lost its heart. I'd like to read this proclamation and explain some of the things that she has done to help hold it together.

Mr. O'Connor presents

No. 1952 WHEREAS, the Hazelwood Presbyterian Church's Anniversary Celebration for Reverend Louwanda Harris to commemorate her years of service to the Hazelwood Community took place on Sunday, February 7, 1993; and

WHEREAS, Reverend Harris has not only lived and worked in the Hazelwood Community for the last twenty years, but she has struggled to make the Hazelwood Community a safe, productive and good place to live for all of its citizens; and

WHEREAS, among her many accomplishments, Reverend Harris was Director of Glen House Mission in Glen Hazel, she was a Missionary-at-Large of The Pittsburgh Presbytery, she was commissioned as the first Black female lay pastor in The Pittsburgh Presbytery, and she was ordained as Pastor of The Hazelwood Presbyterian Church following her graduation in 1987 from the Pittsburgh Theological Seminary; and

WHEREAS, beyond her professional accomplishments, Reverend Harris not only has a full family life as a wife, a mother and a grandmother, but she has been the recipient of numerous awards: she has been a Hazelwood YMCA "Outstanding Citizen"; she has been named Greyhound Bus Company's "Woman of the Year"; she has received a "Black Seminarian

Humanitarian Award", a "Certificate of Recognition" from Penn State College, and an "Appreciation Certificate" from the U.S. Postal Service, to name but a few.

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh hereby acknowledges and commends the Reverend Louwanda Harris for her years of selfless service to the Hazelwood Community and, furthermore, urges her to continue her outstanding work on behalf of the community; and

BE IT FURTHER RESOLVED, that the Council of the City of Pittsburgh proclaims February 9, 1993 as "Reverend Louwanda Harris Day" in the City of Pittsburgh.

Mr. O'Connor moved to adopt the resolution.

Mr. Ricciardi seconded the motion.

Which motion prevailed.

Mr. O'Connor:

Louwanda, I just wanted to mention that occasionally we get some bad ink in the news and it's mainly because of one small block. But 70 percent of the families' homes in Hazelwood are owned and not rented. They're owned by families and individuals who have lived there for years. We're working very hard, and thanks to the URA we're starting to make some great progress. It's a long struggle but we're going to be building some new homes and hopefully with the Mayor's help we're going to clean up that avenue. But it's a shame one little block hurts the whole neighborhood but thanks to people like Louwanda and a lot of people like her, they've kept the heart and the community together and I'm very honored to have her here today.

Reverend Harris:

To the Pittsburgh Council and distinguished guests, and to the Hazelwood community folk, I thank you very much.

I also would like to thank Pittsburgh Presbytery who has supported this endeavor and this mission in Hazelwood.

Thank you very much and God bless.

The Chair:

For the final resolution, I'd like to ask Dr. Leon Haley, members of the board and the staff of the Urban League, to please step forward.

The Chair presents

No. 1953 WHEREAS, the Urban League of Pittsburgh was established in 1918 to respond to the social and economic plight of immigrant African Americans who came in large numbers to this City in search of a better life and new opportunities; and

WHEREAS, the Urban League of Pittsburgh has remained committed to the vision of a community of equality among citizens in respect to employment, education, housing, health and political participation; and

WHEREAS, the Urban League of Pittsburgh has been in the forefront of efforts to improve the quality of life in the City of Pittsburgh for African Americans for the past 75 years through direct services, advocacy, research, and community organization, and continues to serve over 30,000 residents each year; and

WHEREAS, the Urban League of Pittsburgh is an interracial organization dedicated to advancing the overall welfare of

African Americans through cooperation and a shared commitment to an open, pluralistic community; and

WHEREAS, the Urban League of Pittsburgh has pioneered in the development of several programs such as the Educational-Medical Program for expectant mothers, the Business and Finance Academy, the Business and Economic Careers Program, and was instrumental in the establishment of NEED and the Sickle Cell Society; and

WHEREAS, the Urban League of Pittsburgh is the ninth oldest and one of the largest affiliates of the National Urban League, and has enjoyed a distinguished history as a leader in the Urban League Movement for social justice and equality; and

WHEREAS, the Urban League of Pittsburgh is celebrating its 75th Anniversary throughout 1993, with special recognition of its founding in 1918 on February 12, 1993.

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh hereby recognizes the contributions of the Urban League of Pittsburgh to the welfare of the African American community and all communities of the City, and proclaims February 12, 1993 as "Urban League Day" in the City of Pittsburgh in tribute to the 75th Anniversary of the Urban League of Pittsburgh.

Mr. Cohen moved to adopt the resolution.

Mr. Ferlo seconded the motion.

Which motion prevailed.

The Chair:

Dr. Haley, members of the board, staff, on behalf of my colleagues on Council, and more

importantly on behalf of the citizens of Pittsburgh, we're honored to present this resolution to be part of the 75th Anniversary. We know you have a lot of things in store this week, particularly this Friday. We'd certainly like to hear about them but, again, we're honored for your dedication to our community for making it a better community.

Dr. Haley:

Thank you very much. On behalf of the Board of Directors and the staff and volunteers and the Auxiliaries of the Urban League of Pittsburgh, I am honored and humbled to accept this proclamation in recognition of the 75th Anniversary of the Urban League of Pittsburgh.

I can't introduce everybody here. I guess I could; let me try to do that, if I can. This is Bobby Green Turner who is the Second Vice-Chair of the Urban League of Pittsburgh. I want to introduce the Boardmembers first: This is Glenn Simmons, the Secretary; Freda Shapiro is next to her who has been a retired Boardmember of the Urban League for many, many years and is the Co-Chair of our 75th Anniversary Committee; Lottie Jo Trower who is the Director of Development for the Urban League; behind her is Vince Shapiro who is our Chief Fiscal Officer; and many of you probably recognize the gentleman next to him, Jim Frazier, who has been the Housing Director of the Urban League for at least 25 years; Leroy Hicks who is the Director of Employment and Training; Debra Hopkins who is the Executive Assistant for Contract Administration; Stu Cohen who is the Director of Research; and last but not least is my Administrative Assistant, Elaine Coles, who has been with the Urban League for at least 25-30 years.

Let me just say a few words of the significance of the 75th. The road to equality and equal opportunity in America and certainly in this

City has been a very tough and difficult route. We have been sustained over the 75 years by our faith in God and also by the rightness of our cause. And as a result of the dedication and the commitment and the sacrifice and the hard work of thousands of people, Black and White, from all walks of life, we've made a difference, we believe, here in the City of Pittsburgh. It is 1993 and there are young people who do not know that at one time there were no African Americans in the public schools in the City of Pittsburgh, who were teachers. We could not swim at Highland Park and some of the other City parks except the segregated ones. And the only Black person you would see in Downtown Pittsburgh, in corporate Pittsburgh, was a janitor. And indeed, in this very City Council, there were no Black people on City Council.

So, we've come a long way in Pittsburgh and we're proud of that. We're proud to be a part of that history.

But also, the 75th reminds us of how far we have yet to come in achieving full equality in Pittsburgh and in this community. And that's what the 75th means to us, not simply recalling the past but challenging us, challenging all of us to work to make equality and equal opportunity a reality before the 150th Anniversary of the Urban League of Pittsburgh is observed.

I know that you share that commitment and I'm sure that the people of Pittsburgh share that commitment and desire because it is in our best interest as a society that we move in that direction.

So, again, on behalf of the Board, the staff and all the volunteers, I want to thank you again for this recognition and invite you to our open house on Friday from 12 to 3 at the Urban League on Smithfield Street and to all the other observances of the Urban League of Pittsburgh during 1993. Thank you very much.

Michelle Madoff:

Dr. Haley, I want to personally thank you and all the Members of your Board for being out there in the battle front for all of us. I'm particularly delighted that Ms. Shapiro is an old friend of mine and is fighting with you and has been forever. And I know some of the other people pretty well. As a Jewish female, I know what it's like. As a female, I know what it's like. And as an Afro-American, it's ten times worse.

I want you to know that you speak not only for the Afro-American, but for all people who have been discriminated against.

This recognition is long overdue. We've had you here from time to time, but the 75th Anniversary, you ought to tell people where to send some money to help. Put their money where their mouth is. What's the phone number?

Dr. Haley:

That's a great idea. One Smithfield Street, and you can call our Director of Development anytime. We invite you to take a membership out in the Urban League of Pittsburgh in our 75th year, and Lottie Jo Trower will be sending, or certainly you can call her at 261-1130 for a membership in the Urban League of Pittsburgh.

Thank you very much for that suggestion. I appreciate it.

Mr. Cohen presented

No. 1915 Communication from Melanie J. Smith, Director, Department of Personnel and Civil Service Commission, requesting approval for John Turyan, Chair, Pittsburgh Private Industry Council (a non-City employee) to attend the State Job Training Coordinating Council meeting in Harrisburg, PA, on February 18, 1993

for a total cost not to exceed \$469.00, payable from the JTPA-1 Trust Fund, Index Code 260307.

Which was read and referred to the Committee on Finance.

Mr. Cohen moved to suspend Rule 8 by providing for consideration of the bill only until or after the 8th calendar day following the meeting in which the bill was introduced so the bill will be on the agenda this Wednesday.

Mr. O'Connor seconded the motion.

Which motion prevailed.

Also,

No. 1916 Resolution providing for the issuance of a warrant in the sum of \$5,100.00 to Harold Morris, c/o Bruce J. Phillips, Esquire, Gilardi & Cooper, 808 Grant Building, Pittsburgh, PA 15219, in full and final settlement of alleged personal injuries regarding an accident on Broadhead Fording Road, on or about December 20, 1986, payable from Code Account No. 46, Judgments.

Also,

No. 1917 Resolution providing for the issuance of a \$5,103.50 warrant in favor of Joseph and Janet Lewis, in settlement of claim for damage to sewer service line by City tree roots at 2870 Sanborn Street, payable from Code Account No. 46, Judgments.

Also,

No. 1918 Resolution providing for the issuance of a \$3,744.80 warrant in favor of Roberta Smith for automobile damage incurred when a vehicle driven by a Department of Finance employee struck claimant's car due to the

wet road surface on South 18th Street, payable from Code Account No. 46, Judgments.

Also,

No. 1919 Resolution providing for the filing of an application by the City of Pittsburgh with the United States of America, Equal Employment Opportunity Commission, for a grant or grants in connection with Deferral of Employment Discrimination Charges, EEOC-706 Project; providing for the execution of a Grant Contract and for the filing of requisitions and other data; approving the EEOC-706 Project; providing for required assurances; providing for execution of payment vouchers on Letter of Credit and for certification of authorized signatures; maintaining a Special Trust Fund in connection with the Project; and providing for the deposit of funds in a bank account.

Which were severally read and referred to the Committee on Finance.

Mr. Darkins presented

No. 1920 Resolution vacating a portion of Margray Way between Interboro Avenue and McElhinny Avenue, reserving the right of easement of a 8" sanitary sewer line located therein in the 31st Ward, 5th Council District of the City of Pittsburgh. The Department of Finance is recommending a fee of \$1,200.00 for the vacation of the same

Which was read and referred to the Committee on Public Works.

Mr. Ferlo presented

No. 1921 Resolution providing for the issuance of a warrant in favor of Christopher D. Plumtree, 601 Garden City Drive, Monroeville, PA 15146, in the amount of \$750.00 in payment for professional services rendered to Councilman

Jim Ferlo for the month of February, 1993, chargeable to and payable from Code Account 1001-2, Salaries, Wages and Services of Council, As Needed (Index Code 100123), City Council, District 7. ---**(SPONSORED BY MR. FERLO)**

Also,

No. 1922 Resolution transferring the amount of \$1,000.00 from Code Account 1001-2, Salaries & Wages, As Needed, to Code Account 1838, Miscellaneous Services, Department of Parks and Recreation. ---**(SPONSORED BY MR. FERLO)**

Which were read and referred to the Committee on Finance.

Also,

No. 1923 Resolution providing for an Agreement or Agreements with the Brookline Businessmen's Little League for the benefit of the residents of the City of Pittsburgh, at a cost not to exceed \$1,000.00, chargeable to and payable from Code Account 1838, Miscellaneous Services, Department of Parks and Recreation. ---**(SPONSORED BY MR. FERLO)**

Which was read and referred to the Committee on Parks and Recreation.

Mr. Ferlo moved to suspend Rule 8 by providing for consideration of the bills only until or after the 8th calendar day following the meeting in which the bills were introduced so the bills will be on the agenda this Wednesday.

Mr. Ricciardi seconded the motion.

Which motion prevailed.

Also,

No. 1924 Resolution amending

Resolution No. 330, eff. April 3, 1992, as amended by Resolution No. 718, eff. June 23, 1992, entitled "Providing for the filing of a Community Development statement by the City of Pittsburgh with the U.S. Dept. of Housing & Urban Development for a grant in connection with the 1992 CDBG Program" so as to reduce line items in the URA and increase a line item in the Dept. of City Planning and the Dept. of Parks and Recreation.

Also,

No. 1925 Resolution providing for an Agreement or Agreements for professional auditing services in connection with the Community Development Block Grant Program - Third Party Contracts, at a cost not to exceed \$40,000.00, chargeable to and payable from the 1991 CDBG Program, Dept. of City Planning, Administrative Account (CDPA).

Also,

No. 1926 Resolution authorizing the URA of Pgh. to acquire all of the City's right, title and interest, if any, in and to the publicly-owned property in the 11th Ward of the City of Pgh. designated in the Deed Registry Office of Allegheny County, as Block 83-A, Lots 264 and 266 (5456 Black Street & 5454 Black Street), for the sum of \$1.00 plus all necessary and incidental expenses, under the Residential Land Reserve Fund. These vacant lots are being acquired for conveyance to the Bloomfield-Garfield Corporation for construction of a dwelling unit. These properties are approx. 6,030 square feet. (Council District No. 9)

Also,

No. 1927 Resolution approving execution of a Contract for Disposition of Land by and between the URA of Pgh. and Bloomfield-Garfield Corporation for the sale of

Block 83-A Lots 264 and 266 (5456 Black Street & 5454 Black Street), in the 11th Ward of the City of Pittsburgh, for the sum of \$1,000.00. The redeveloper intends to use these vacant lots for residential construction. These lots consist of approx. 6,030 square feet. The redeveloper is a nonprofit corporation with a mailing address at 5149 Penn Avenue, Pittsburgh, PA 15224. The Board of Directors include Gregory A. Heisler, President; R. William Norton, Vice-President; James F. Maloney, Treasurer; and Roxanne Thomas, Secretary. (Council District No. 9)

Also,

No. 1928 Resolution authorizing the URA of Pgh. to acquire all of the City's right, title and interest, if any, in and to the publicly-owned property in the 10th Ward of the City of Pittsburgh designated in the Deed Registry Office of Allegheny County, as Block 50-L, Lot 334 (5151 Penn Avenue), for the sum of \$1.00, plus all necessary and incidental expenses, under the Residential Land Reserve Fund. This property is being acquired for conveyance to Russell L. Brown, Sr. and Roselyn L. Brown for rehabilitation and subsequent residential/commercial rental. The property contains approx. 2,000 square feet of land. (Council District No. 7)

Also,

No. 1929 Resolution approving execution of a Contract for Disposition of Land by and between the URA of Pgh. and Russell L. Brown, Sr. and Roselyn L. Brown for the sale of Block 50-L Lot 334 (5151 Penn Avenue) in the 10th Ward of the City of Pittsburgh. The redeveloper intends to rehabilitate this structure for residential/commercial rental purposes. The property contains approx. 2,000 square feet of land and has a purchase price of \$5,000.00. (Council District No. 7)

Also,

No. 1930 Resolution authorizing the URA of Pgh. to acquire all of the City's right, title and interest, if any, in and to the publicly-owned property in the 8th Ward of the City of Pittsburgh designated in the Deed Registry Office of Allegheny County, as Block 26-H Lot 85 (4616 Juniper Street), for the sum of \$1.00, plus all necessary and incidental expenses, under the Industrial Land Reserve Fund. This small vacant lot is being acquired for conveyance to James Marsonек for use as a commercial sideyard. The property contains approx. 1,201 square feet of land. (Council District No. 8)

Also,

No. 1931 Resolution approving execution of a Contract for Disposition of Land by and between the URA of Pgh. and James Marsonек for the sale of Block 26-H Lot 85 (4616 Juniper Street) in the 8th Ward of the City of Pittsburgh. The redeveloper is the adjacent owner who intends to use this vacant lot as a commercial sideyard. The property contains approx. 1,201 square feet of land and has a purchase price of \$500.00. (Council District No. 8)

Also,

No. 1932 Resolution authorizing the URA of Pgh. to acquire that property in the 11th Ward of the City of Pgh. owned by Lloyd A. Moore, et. al., and designated as Block 83-E Lots 80 and 82 (5478 Black Street & 5476 Black Street) in the Deed Registry Office of Allegheny County, for the Fair Market Value plus all necessary and incidental expenses, under the Residential Land Reserve Fund, said property having been certified as blighted by the Vacant Property Review Committee and the Planning Commission of the City of Pittsburgh. These vacant lots are being acquired for conveyance to

the Bloomfield-Garfield Corporation for construction of a single-family dwelling unit. These properties consist of approx. 6,875 square feet of land. (Council District No. 9)

Also,

No. 1933 Resolution approving execution of a Contract for Disposition of Land by and between the URA of Pgh. and Bloomfield-Garfield Corporation for the sale of Block 83-E Lot 80 and 82 (5476 & 5478 Black Street) in the 11th Ward of the City of Pittsburgh. The redeveloper intends to use these vacant lots for construction of a single-family dwelling unit. The lots contain approx. 6,875 square feet of land and has a purchase price of \$1,100.00. This property is being acquired following certification as blighted by the Vacant Property Review Committee and the Planning Commission of the City of Pittsburgh. The redeveloper is a nonprofit corporation with a mailing address at 5149 Penn Avenue, Pittsburgh, PA 15224. The Board of Directors include Gregory A. Heisler, President; R. William Norton, Vice President; James F. Maloney, Treasurer; and Roxanne Thomas, Secretary (Council District No. 9)

Also,

No. 1934 Resolution authorizing the URA of Pgh. to acquire that property in the 6th Ward of the City of Pgh. owned by Joseph E. Gibbons, et. ux., and designated as Block and Lot 48S-231-1 (3407 Butler Street) in the Deed Registry Office of Allegheny County, for the Fair Market Value plus all necessary and incidental expenses, under the Industrial Land Reserve Fund, said property having been certified as blighted by the Vacant Property Review Committee and the Planning Commission of the City of Pittsburgh. This vacant lot is being acquired as part of the site assemblage for the Doughboy Square Commercial Development Project. The Lawrenceville Development

Corporation will be involved in the future development of this site. (Council District No. 7)

Also,

No. 1935 Resolution authorizing the URA of Pgh. to acquire properties in the City of Pittsburgh for the Fair Market Value plus all necessary and incidental expenses, under the Residential Land Reserve Fund, said properties having been certified as blighted by the Vacant Property Review Committee and the Planning Commission of the City of Pittsburgh. These properties are being acquired for resale to the adjacent owners for use as sideyards. These properties have been certified as blighted by the Vacant Property Review Committee and the Planning Commission of the City of Pittsburgh. (Council Districts 3 and 9)

Also,

No. 1936 Resolution approving execution of a Contract for Disposition of Land by and between the URA of Pgh. and various redevelopers for the sale of properties in the City of Pittsburgh. These properties will be sold to the adjacent owners for use as sideyards. (Council Districts 3 and 9)

Which were severally read and referred to the Committee on Planning, Housing and Development.

Mr. Onorato presented

No. 1937 An Ordinance supplementing the Pittsburgh Code, Title Six - Conduct, Article I, Regulated Rights and Actions, by adding Chapter 608 - Youth Offender Work Corps.
--(SPONSORED BY MR. ONORATO)

Also,

No. 1938 Resolution providing for an

Agreement or Agreements with a psychologist or psychologists for professional psychological services for 1993 for the Department of Public Safety, which shall include, but shall not be limited to, written evaluations, testing, counseling, therapy consultations, training and criminal profiles, at a cost not to exceed \$60,000.00, chargeable to and payable from Code Account 1401, Department of Public Safety.

Which were read and referred to the Committee on Public Safety.

The Chair presented

No. 1939 Communication from Mary K. Conturo, City Solicitor, submitting the quarterly report of the settlement of small claims not exceeding \$750.00 for the Fourth Quarter of 1992, payable from Code Account no. 1081, Petty Claims. Also, a quarterly report of the settlement of claims in excess of \$750.00 for the Fourth Quarter of 1992, payable from Code Account No. 46, Judgments.

Also,

No. 1940 Communication from Ben Hayllar, Director, Department of Finance, submitting a report of securities pledged as collateral by City Depositories as of December 31, 1992.

Also,

No. 1941 Communication from David Washington, Executive Director of the Housing Authority of the City of Pittsburgh, submitting the Position and Salary Report as of January 1, 1993.

Also,

No. 1942 Communication from Tom

Flaherty, City Controller, submitting the Performance Audit of the Urban Redevelopment Authority, Housing Department, as of November 1992.

Which were severally read, received and filed.

UNFINISHED BUSINESS

Mr. Ferlo:

Mr. Wagner, I believe a number of Councilmembers, I know myself, had received some information, possibly a subpoena, in relation to a potential Federal Court review of the proposed District Council lines. At some point they're going to need an explanation from the Solicitor as to what stance, role, defense, what have you, they will take. I haven't been informed of any meetings or anything. Are you aware of any?

The Chair:

I know some Councilmembers have received phone calls. I can't speak for all.

I would ask Mr. Perry if we would let the Solicitor know that we need further information in regard to this issue as quick as possible.

Mr. Ferlo:

Thank you.

Michelle Madoff:

My understanding is that there is a meeting Thursday afternoon to brief us. I think it's the Florence Bridges case that we're talking about and I've got a notice saying --

Mr. Cohen:

I think they're separate meetings. But certainly all of us should be included.

Michelle Madoff:

We're all being contacted by the Law Department.

I have some items that relate to Old Business but they're too lengthy for me to address them now. So, out of courtesy to the President and Members of Council, I would like the first opportunity at the end of the meeting to address them and do them in an orderly fashion. Thank you.

REPORTS OF COMMITTEES

Mr. Cohen presented

Bill No. 1943

Report of the Committee on Finance for February 3, 1993 transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 1792

A Resolution entitled, "Resolution providing for the issuance of a warrant in favor of James E. Rooney, 940 North Lincoln Avenue, Pittsburgh, PA 15233, in the amount of \$3,000.00 in payment for professional services rendered to City Council for November and December, 1992." ---**(SPONSORED BY MR. WAGNER)**

Which was read.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. O'Connor
Mr. Darkins	Mr. Onorato
Mr. Ferlo	Mr. Ricciardi
Michelle Madoff	Mr. Wagner
	(Pres't)

AYES 8 NOES none

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Also,

Bill No. 1846

A Resolution entitled, "Resolution providing for the filing of a petition or petitions for the sale of certain property or properties, acquired at tax sales in accordance with Act No. 171 of 1984, 'Second Class City Treasurer Sale and Collection Act', effective December 11, 1984." (AS AMENDED IN COMMITTEE)

Which was read.

Also,

Bill No. 1844

A Resolution entitled, "Resolution authorizing the Mayor and the Director of Finance, for and on behalf of the City of Pittsburgh, to enter into a Lease Agreement with the Public Parking

Authority of Pittsburgh, for the era underneath that certain block bounded by William Penn Place, Oliver Avenue, Smithfield Street and Sixth Avenue, in the Second Ward, City of Pittsburgh, for a term of 40 years." (AS AMENDED IN COMMITTEE)

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. O'Connor
Mr. Darkins	Mr. Onorato
Mr. Ferlo	Mr. Ricciardi
Michelle Madoff	Mr. Wagner
	(Pres't)

AYES 8 NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Also,

Bill No. 1869

A Resolution entitled, "Resolution providing for the issuance of a warrant in favor of Carl Marshalwitz, 725 North Beatty Street, Pittsburgh, PA 15206, in the amount of \$800.00 in payment for professional services rendered to Councilman Jim Ferlo for the months of January and February, 1993." --- (SPONSORED BY MR. FERLO)

Which was read.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. O'Connor
Mr. Darkins	Mr. Onorato
Mr. Ferlo	Mr. Ricciardi
Michelle Madoff	Mr. Wagner
	(Pres't)

AYES 8 NOES none

And there being two-thirds of the votes of Council being in the affirmative, the bill passed finally.

Mr. Darkins presented

Bill No. 1944

Report of the Committee on Public Works for February 3, 1993 transmitting one resolution to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 1837

A Resolution entitled, "Resolution granting unto Abe Bernstein Clothing, Inc. with an address at 807 East Carson Street, Pittsburgh, PA 15203, their successors and assigns, the privilege and

license to construct, maintain and use at their own cost and expense, one double-faced business identification sign in the right-of-way of East Carson Street in the 17th Ward, 3rd Council District of the City of Pittsburgh."

Which was read.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. O'Connor
Mr. Darkins	Mr. Onorato
Mr. Ferlo	Mr. Ricciardi
Michelle Madoff	Mr. Wagner
	(Pres't)

AYES 8 NOES none

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Mr. Ferlo presented

Bill No. 1945

Report of the Committee on Planning, Housing and Development for February 3, 1993 transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 1774

A Resolution entitled, "Resolution authorizing the Urban Redevelopment Authority of Pittsburgh to acquire all of the City's right, title and interest, if any, in and to the publicly-owned property in the City of Pittsburgh under the Residential Land Reserve Fund."

Which was read.

Also,

Bill No. 1775

A Resolution entitled, "Resolution approving execution of a Contract for Disposition of Land by and between the Urban Redevelopment Authority of Pittsburgh and various Redevelopers for the sale of properties in the City of Pittsburgh (SIDEYARDS)."

Which was read.

Also,

Bill No. 1831

A Resolution entitled, "Resolution authorizing a Cooperation Agreement or Agreements with the Urban Redevelopment Authority of Pittsburgh providing for the transfer of an amount not to exceed \$1,370,000 to the Authority to be used for streetscape improvements in the Penn-Liberty Cultural District and providing for the payment of the cost thereof."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. O'Connor
Mr. Darkins	Mr. Onorato
Mr. Ferlo	Mr. Ricciardi
Michelle Madoff	Mr. Wagner
	(Pres't)

AYES 8

NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Also,

Bill No. 1832

A Resolution entitled, "Resolution providing for the filing of an application for financial assistance with the Pennsylvania Department of Community Affairs for a grant in the amount of \$169,000 under the Recreational Improvement and Rehabilitation Act Program for riverfront improvements to the North Shore East Riverfront Park and authorizing certain other related actions."

Which was read.

Also,

Bill No. 1833

A Resolution entitled, "Resolution authorizing a Cooperation Agreement or Agreements with the Urban Redevelopment Authority of Pittsburgh providing for the transfer to the Authority of an amount not to exceed \$200,000 to be used for riverfront improvements along the North Shore of the Allegheny River and providing for the payment of the cost thereof."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. Onorato
Mr. Darkins	Mr. Ricciardi
Michelle Madoff	Mr. Wagner
Mr. O'Connor	(Pres't)

AYES 7 NOES none

(MR. FERLO ABSTAINING)

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Also,

Bill No. 1834

A Resolution entitled, "Resolution authorizing a Cooperation Agreement or Agreements with the Urban Redevelopment Authority of Pittsburgh providing for the transfer to the Authority of an amount not to exceed \$100,000 for the Downtown Top Shops Program and providing for the payment of the cost thereof."

Which was read.

Also,

Bill No. 1836

A Resolution entitled, "Resolution authorizing a Cooperation Agreement or Agreements with the Urban Redevelopment Authority of Pittsburgh providing for the transfer to the Authority of an amount not to exceed \$40,000 to be used to defray the cost of financial services required in connection with the Authority's bond issue and providing for the payment of the cost thereof."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. O'Connor
Mr. Darkins	Mr. Onorato
Mr. Ferlo	Mr. Ricciardi
Michelle Madoff	Mr. Wagner
	(Pres't)

AYES 8 NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Mr. O'Connor presented

Bill No. 1946

Report of the Committee on General Services for February 3, 1993 transmitting two resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 1810

A Resolution entitled, "Resolution providing for the letting of a Contract or Contracts, or to exercise against existing Contracts, for furnishing and/or installing energy conservation equipment for the Department of General Services, and providing for the payment of the cost thereof."

Which was read.

Also,

Bill No. 1839

A Resolution entitled, "Resolution providing for the letting of a Contract or Contracts, or to exercise against existing Contracts, for various repairs and renovations to City facilities, and providing for the payment of the cost thereof."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. O'Connor
Mr. Darkins	Mr. Onorato
Mr. Ferio	Mr. Ricciardi
Michelle Madoff	Mr. Wagner
	(Pres't)

AYES 8

NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Mr. O'Connor presented

Bill No. 1947

Report of the Committee on Parks and Recreation for February 3, 1993 transmitting one resolution to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 1843

A Resolution entitled, "Resolution providing for a Lease or Leases and/or License Agreements for the use of certain property for Senior Citizen Facilities and/or Management Agreements for the provision of center services to senior citizens in an amount not to exceed \$201,222.00, chargeable to and payable from (SCPTF), (254250), Senior Citizen Program Trust Fund."

Which was read.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. O'Connor
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Mr. Darkins Mr. Onorato
Michelle Madoff Mr. Ricciardi

AYES 6 NOES none

(MR. FERLO AND MR. WAGNER
ABSTAINING)

And a majority of the votes of Council
being in the affirmative, the bill passed finally.

Mr. Onorato presented

Bill No. 1948

Report of the Committee on Public Safety for
February 3, 1993 transmitting one ordinance to
Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 1611

An Ordinance entitled, "An Ordinance
supplementing the Pittsburgh Code, Title X -
Building, Chapter 1007 BOCA National
Building Code Adoption, Subsection 120.1
entitled 'Right to Deem Unsafe' and Subsection
120.7 entitled 'Cost Recovery' by adding
provisions providing that vacant buildings in
which unlawful drugs are being used or
disseminated are deemed unsafe and providing
for cost recovery for abatement."

Which was read.

Mr. Onorato:

Mr. President, the public should know
that this is just another piece of the overall puzzle.
Several months ago when I introduced and this
Council passed the problem properties

legislation, this piece compliments that piece of
legislation and there are other pieces coming.
The Administration should be complimented
here because once again this is another step in
removing the blight from our neighborhoods and,
at the same time, it's fighting the drug problem in
the City too. It's a very good piece of legislation.

Mr. Ferlo:

This is a great piece of legislation but,
unfortunately, it's only as good as the ability of
the Administration to properly enforce what's
implied here. Having had some direct experience
along with other Councilmembers embattling so
called crack houses in our neighborhoods as well
as being successful in getting several of them
demolished, I mean private properties as opposed
to public properties, I can tell you it's a multi-
month difficult effort. And I'm just very
concerned here that we not only have the support
from BBI and Code Enforcement because they
are always on the job. I have found them to be the
most vigilant in dealing with this problem.

This tries to combine the talents of both
Code Enforcement with the Law Department
because my experience in the Court of Common
Pleas has been that some of the judges are very
pro-property rights to the extent that they don't
look at the broader issue of the impact in the
community of problem and nuisance houses, in
this case crack houses.

I think sometimes we shouldn't just let the
Solicitor and the Code Enforcer fend for
themselves in court. I think we should appear.
We should try to encourage citizens to appear and
press upon those judges the need for them to be
resolute.

Michelle Madoff:

Once more I want to congratulate my
colleagues. In all the years I've been here this

issue has been raised repeatedly. I personally was called by one of the television stations and went up on the Hill and looked at, and I've talked about this before in Council, all the colored balloons, thousands of them, with the drugs on the floor and the needles that could be contaminated with AIDS and children having to walk to school through this horror. And in the same block where we have a fire station, there are two or three crack houses.

This has not been an unknown issue but because we've raised it here in Council and because we have the kind of Council not beholden, for the most part, to the Administration, and we have the majority votes, the Administration realizes they have to do something.

And I want the public again to understand that this Council is so superior to any Councils we've had, and that's why things happen, because we stick together on the important issues. Most of us anyway.

Michelle Madoff:

I'd also like to say that this is an excellent piece of legislation. It's simply another tool in the effort to fight drugs and drug houses in this City, and I commend the makers of the legislation.

The Chair:

Is there any further discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen

Mr. O'Connor

Mr. Darkins

Mr. Ferlo

Michelle Madoff

Mr. Onorato

Mr. Ricciardi

Mr. Wagner
(Pres't)

AYES 8

NOES none

And a majority of the votes of Council being in the affirmative, the bill passed finally.

MOTIONS AND RESOLUTIONS

Michelle Madoff:

Mr. President and Members of Council, I bring these issues to Council because they have been made and are Council issues, and I think that one cannot sweep issues under the rug because they come back to haunt you. And I think that now is as appropriate a time as any to deal with them.

I would like to read a letter into the Record and a statement. This letter is dated January 29th and it is signed by Mr. Clarence Perkins, and I want you to hear the tone of this letter.

As you may recall, Members of Council, I had held a bill on Duquesne Light because of a possible wire being cut in the process of excavating, and I had many times in this Council I think with previous Department Heads of Public Works referred to a piece of equipment that's an air-driven drill that does not cut wires. I merely asked that the bill be held until we could find out whether that piece of equipment did, indeed, exist. I was not rude, I was not offensive; as a matter of fact, I think I abstained and the bill passed anyway.

The letter from Mr. Perkins reads as follows:

(BEGINNING OF LETTER)

"Dear Councilwoman Madoff:

To follow up on your comments during the Council session of January 27, 1993 regarding a backhoe type digging device with line locating ability, please be advised of the following:

On January 28, 1993, I phoned Jerry Apt, Jr., P.E. of Concept Engineering Group, the name you gave me as a reference to discuss such a device. Mr. Apt informed me that his firm is currently developing and building a prototype device, and the prototype is currently undergoing a certain amount of testing. Mr. Apt quickly informed me that any detailed information regarding his device is confidential and should be considered as such. He did elaborate by saying that his device is not ready to market, and actual demonstrations are over one (1) year away.

This confirms my statement that I was not aware of a "backhoe type" digging device with line locating ability, because such an apparatus does not exist beyond the research and development stage. Further, Mr. Richard Nathenson, an assistant to Mr. Apt, commented by saying "this type of device is not currently produced anywhere in the world".

In summary, I feel it is unjust to publicly criticize or scrutinize the Department of Water for not having equipment that does not exist -- don't you agree?

For you to use a public forum to falsely imply that the Department of Water could be performing our excavation work more efficiently, based on misinformation, cannot go without rebuttal.

Furthermore, your understanding and statement that Public Works performs excavation

work for the Department of Water is of deep concern to me. With your many years as Council's Committee Chairperson on Water, I was truly shocked by your beliefs that Public Works does our street openings. If you do not have a correct understanding of something as basic as a routine street opening, and how departments are responsible for their excavation work, then how can I feel comfortable when we discuss more detailed water matters with you?

Sincerely,

Clarence E. Perkins
Director

CEP:pkh

cc: James Turner
Jack Wagner
Alex Sciuilli"

(END OF LETTER)

Michelle Madoff:

Well I'd like to tell you about a piece of equipment that doesn't exist anywhere in the world. I have a letter from the gentleman that sent it to me and a little brief note that addresses as follows:

"This equipment, the Vacuum Excavators by Miller Backhoe, and there are three other companies that make them, are used for excavation of water and used for servicing termination in Denver Water, Indianapolis Water has two, Grand Rapids leases two, they're doing 600 terminations in Denver. Many contract with the company to do the work when there is a very large job.

The equipment has been available for several years. The company has been doing work since 1978. It is more cost effective than

regular excavating because you don't have broken lines and problems associated with regular excavations.

The Vac and Dig of Denver is another manufacturer contracted by Equitable Gas. My understanding is that almost all the gas companies use them at this moment."

I'm not so concerned about the fact that I was right and he was wrong; that's not the issue. It's the tone of a Director in dealing with a Councilperson as part of a greater scheme of things. It is part of a well orchestrated, cheap innuendo, white lies that are being orchestrated, distortion by the Administration, and I would like to respond to what is going on. That is just the first symptom and let me tell you what has happened.

As you know, Councilmembers all receive copies of letters sent by the Administration, and it was dated January 29th, in response to my questioning the Administration on several issues embarrassing to them. Normally I wouldn't dignify their cheap shots with a response; however, their blatant attempts to divert attention from their bungling of the public business by making me their target cannot go unanswered.

Let us examine why they are so gung ho not only to discredit me but to destroy me. As an example, accusing me of stealing \$4.27 in stamps when it is well documented that I use far less City dollars on postage than almost any of my colleagues past and present.

It's time the public is made aware of the cheap innuendos, misrepresentations, and distortions of fact that the Administration has seen fit to orchestrate against me. From day one, anyone with a smidgen of knowledge was aware that we would be confronted with a glut of recyclables and a market that would dry up.

The question is not why did the price of recycling go up, but why didn't the Administration inform the public that they had awarded a half million dollar contract at an increase of better than 800 percent. They can claim until the cows come home that they informed Council of the recycling contract; however, it is a matter of fact that neither the media nor Councilmembers publicly recalled every having knowledge that BFI was awarded the contract at an increase in cost from \$3.77 to \$31.66 a ton.

The Administration is so afraid that their reasons for continuing the blue bag recycling system might be discredited that Mr. Turner, fighting to maintain the status quo, took over my post agenda meeting, determined to show a worn out, nothing new, dog and pony show.

When he started his McCarthy tactics, I left and immediately went to my office and located an independent expert to enlighten the Administration and Council on the state of art of recycling in 1993. And as you know, I've talked to all of you and that person will be coming in.

Interestingly, the three vendors who had bid the contract and had volunteered to come to my post agenda to offer suggestions and how to improve the recycling process so as to save dollars and make it less labor intensive, they didn't show up. Could it be that they were told not to by we know who?

In addition, I have long called on the Administration to stop the practice of awarding lucrative, no-bid contracts to investment bankers and lawyers from municipal bond work. That's when the Grant Street insiders started to sweat. It blew my mind when Sophie Masloff called me at home for a vote and when I asked her to review the negotiated versus competitive bond bid process, she replied, "I can't do that. I need

negotiated bonds to take care of those who take care of me."

If she denies this act of sheer stupidity, I challenge the Mayor to take a lie detector test along with me. Everyone in the bond business knows this practice goes on, but nobody is dumb enough to say so.

Then I had the temerity to join my colleagues in court to put an end to the illegal and improper practice of again avoiding Council's right to vote on building new fire stations. When the judge agreed with us, this further irritated the powers that be.

So how does this gaggle of hit men respond? They now accuse me, would you believe, of helping them receive thousands of delinquent tax dollars from a landlord claiming I did something wrong because he copied me and because, as I reported in my election returns, he provided me with unrentable space during elections. Interestingly, I kept the letter from Ben Hayllar, I'm sure he doesn't remember this, instructing me to inform the party that he, Hayllar, would accept the payments. Where was Mr. Hayllar on this issue before my standing up to the Administration?

I have a number of letters and these letters address all these issues. They were sent to my colleagues claiming that I don't know what I'm talking about. I thought it was important that we address it.

There's a letter saying that Councilwoman Michelle Madoff never created the Department of Aging; she created a code account within the Parks and Recreation Department, called Department of Aging. We do not anticipate any additional hiring. Also, Michelle Madoff is well aware of the Administration's position opposing the creation of more bureaucracy.

Basically, seniors, if you're listening, they don't give a damn.

Now, this is a lot of lies, innuendoes, misrepresentations. I want to put it behind me. I don't want to be responding on the defensive responding to accusations, so I've decided to bring it out into the open.

Rather than solving problems, the Administration engages in a well-orchestrated campaign of cheap innuendo and smears. It's an old trick. If you can't fight the message, kill the messenger.

I'm a little upset, if you can tell, folks.

More to the point, the personal attacks on me are not only contemptible, but they won't work. I won't back up one step when it comes to defending the taxpayers of this City. I never have and no small-minded bureaucrat is going to make me start now.

Mr. Ricciardi:

On a different issue. Colleagues, I have had an opportunity to consult with our Public Safety Chairman, Mr. Onorato. There is some information I'd like to request in motion form from the Administration concerning the Weed and Seed Program, a good program, a decent program, that this body supported in terms of a \$1 million grant. I believe 90 percent of the funding going to eradicating drugs in the Hill District, the remaining 10 percent going out to actually help people through rehab.

What I'd like to request in motion form, Mr. Wagner, is again their mission statement, goals and objectives of the program. Also, the status of the program, the deployment of officers, how the officers are being deployed, the number of officers in the program itself, and all

expenditure of funds to date, including equipment expenditures, salaries. And also, if at all possible, where we stand on either the mobile unit or a store front. That is in the form of a motion, Mr. Wagner.

Michelle Madoff seconded the motion.

Mr. O'Connor:

Does that include the seed money, Mr. Ricciardi?

Mr. Ricciardi:

Yes. It's the Weed and Seed money.

Mr. O'Connor:

That's a good point. I'd like to know what the seed money is going to.

Michelle Madoff:

I happened to be speaking to a police officer, Afro American, who would like to keep his name anonymous, and I can understand; he's afraid of retribution. He tells me that 15 of our police officers were transferred to the Weed and Seed Program, that the Administration has not added additional officers. These 15 officers were taken off so they could be paid for by the Federal Government. And he tells me that they are to be a visible presence. I asked what was wrong with that and he said, "Nothing, except that just being a visible presence without doing anything isn't doing the job."

So, with all due respect, I'd like to include whether the officers for the Weed and Seed Program did indeed come from the existing police officers.

Mr. Ricciardi:

I'll accept that as a friendly amendment.

Let me say to my colleagues, I'm not being critical of the program, and I'm unaware of all the information that Michelle Madoff has just presented. I would just like to be updated to see where we're at, to see if we need additional input.

So, my position is clear that I'm not being critical of the program; I just think we have to be updated on the program. But I will accept that as a friendly amendment.

The Chair:

There's a motion and a second. All in favor? Opposed?

WHICH MOTION PREVAILED.

Mr. Onorato:

Mr. President, I've been going around the community over the last several months and everyone here has been trying to deal with this increase in crime and the perception of crime. It's interesting that when I dealt with the District Justices throughout the City who are on the front line of this battle, I have been informed that their biggest problem is dealing with the youth of this City and not having the ability to punish the youth because of either the juvenile laws or that the system is just overcrowded, and that the juveniles are basically looking at them and just laughing when they get punished because they know they'll be out within twelve hours.

Today I introduced legislation that I hope everyone will support. I look forward to the discussion over the next two weeks. Basically, the City of Pittsburgh, we should provide the proper supervision so that these District Justices and Magistrates can assign community service

work to juvenile offenders and that, one, they will not be sent away for a punishment but they will actually do something productive in their communities and our communities, be it graffiti removal, lot clean up, etc.

So that this point, I think that this Council does have a role. Even though we can't change juvenile laws at the State level, we can still deal with what we have at our powers with the District Justices in providing them with the proper supervision with community groups and also with light duty officers.

But I'm looking forward to discussions and I'm sure that there will be some minor changes, but it's a bill that could work and benefit this City, both to the offender and to the communities that are being abused by these offenders.

Mr. Ricciardi:

Same issue. I just would like to commend Dan Onorato for putting this bill forward. I'm looking forward to reviewing it. I believe we have to look at alternative sentencing for kids that get into minor scrapes with the law in order to teach them responsibility. I think the bill has so much potential that my own District Magistrate, Justice of the Peace, Nancy Longo, joined us today in session to learn more about the bill.

So, I think other people are interested, not just the lawmakers sitting in this body but actually the Justice of the Peace in the field.

The Chair:

It sounds like an excellent bill.

Mr. Ferlo:

Very briefly. I did want to remind Councilmembers that there is a post agenda

dealing with the Summer Youth Employment Program. I realize some members were able to take part in a meeting last week. Some of us weren't. I do have particular concern about the Housing Authority as it relates to the Summer Youth Employment Program.

So, immediately following this meeting, there's a post agenda.

On a separate issue, and it sort of dovetails with what Mr. Onorato had talked about. I think many Councilmembers and the public will remember last year I had raised the concern just generally about graffiti. The Administration, to their credit, this past year did a lot of work throughout Public Works' Clean City Committee working with neighborhood groups, the Housing Authority and others, on attacking the graffiti, at least on public buildings. Unfortunately, it's a never ending battle that people need to be vigilant about.

But I have found that in the past in my experience that if we publicize the reward we have, in many instances, at least three that I can speak of, been successful in publishing a reward and also making it more known in the community about the problem of graffiti and actually the publication of the reward has helped to lead to the arrest and conviction of several individuals who did pay restitution and who actually were assigned by judges to do actual clean up where they engaged in the graffiti vandalism.

I had put out a leaflet; I think some Councilmembers received it. I'm sending it out throughout my district. There are three notorious graffiti vandal characters, as I call them, they have these tag names, one is Dr. Scan who hit the Bloomfield corridor, the business district, over the holidays, about 30 buildings. Another one is Diesel. And a third infamous person is somebody tagging the graffiti with the name Prime.

Most of these are in the neighborhoods that I represent, Lawrenceville, Garfield, Highland Park, Bloomfield and the other communities. I had put a notice out offering information, letting the community know, the school principals, area businesses, about the \$500 reward. And if there is any information about these individuals, we're going to get these leaflets out at Peabody High School where I think some of these individuals are located, based on some information I have received.

Again, I want to put this information out. I think we have to make it much more clear to these younger kids that graffiti is not only ugly and does not contribute to community environment and to the good streetscape of our community, but that it's a crime and it's going to cause those kids and their parents a lot of headache. We're talking about several thousands of dollars in property damage just with one kid with one spray paint can. So, again, we want to get this information out.

I'm very supportive, obviously, of Mr. Onorato's bill. Anything that can be done on the issue of restitution and making these individuals go back out and clean up, we need to do that.

But I think we need more of an expanded effort and I would ask that the Administration look towards making the anti-graffiti program a year-long effort, not just the summer geared up effort. Graffiti begets other graffiti and I think we need to get rid of it as soon as it happens. We have too many public facilities, too many business that keep the graffiti on the building for a long time and, once it's hit, it brings and attracts a lot of other graffiti.

So I want to get the information out about good old Diesel and Dr. Scan and Prime. There is a \$500 reward money, based on the City's graffiti ordinance. And I would hope that if there's some kid out there that needs to be a new VCR, they

can collect this reward money by providing information. Thank you.

Michelle Madoff:

Same subject. You may have forgotten, Mr. Ferlo, that one of the suggestions I made in support of your legislation is that we contact all the businesses with walls that are so tempting to the youngsters and have them contribute to a fund. Maybe \$500 just isn't enough of a reward. We really have to stop it. It is doing millions of dollars worth of damage throughout this City. I recognize some of that printing up in my district. You can't go by an area of the City that isn't blighted with it.

That leads again to the issue of the curfew hearings. When are they scheduled, Mr. Perry? Do you know? We scheduled one once before when the newspapers were not operating and what happened was that nobody knew about it. So my constituents and community groups all over the City have asked that they have enough time because they're all getting petitions addressing the overall issues of youth and crime. And I would like them, of course, to have the time to review Mr. Onorato's bill which I think is outstanding and very meaningful. And also to comment on a piece of legislation that was prepared for me by an attorney which he believes, and his class believes, will withstand a First Amendment challenge. I think at that time there will also be some talk of the anti-loitering bill because I think they're all part of the same ball of wax. What are we going to do?

We need a date. I've been asking for a date repeatedly because I cannot notify the groups with adequate time unless a date is provided. And they need some time to prepare. And I would appreciate having that today because we can't get out mail out to anybody to tell the groups when the hearing is scheduled.

The Chair:

I want to make it perfectly clear, Councilwoman Madoff, that you requested that we terminate and cancel the public hearing for curfew.

Michelle Madoff:

No I did not.

The Chair:

There was a request put in --

Michelle Madoff:

No. As a matter of fact, I spoke with Mr. Perry and asked him to speak with you about the date. I have not cancelled it. I never cancelled it.

The Chair:

There was a date scheduled. It's part of the record.

Michelle Madoff:

I asked to cancel that date because there was no time within a week for the people to come. I asked to have the date rescheduled.

The Chair:

My point is, the public hearing was scheduled. I am more than happy to reschedule it, but it was at your request to cancel that date.

Michelle Madoff:

Yes, because there was not enough time, as we had a previous hearing where there wasn't enough time. They've asked me to give them more time and this is from all over the City. We just need a date with a little time frame in

between. Give me a couple of weeks. Three weeks would be fine because it takes a week to get the material and we have to hand deliver leaflets or get stuff out in the mail. We get calls from everywhere in the community. Every single community is calling my office on this.

The Chair:

The curfew hearing was scheduled. It was cancelled at your request, and it will be rescheduled.

Michelle Madoff:

Thank you.

Mr. O'Connor:

I'd just like to get back to what started this discussion. I think Mr. Onorato's bill really highlights some things that people have been really asking for for a long time. These young people who get in trouble and just walk away and laugh at the system have to be stopped. Putting them to work might scare some of them, but it also might send some of them in the right direction and realize that working might be a better way to make a buck.

So, I applaud him and I hope that the media gets behind it, not only publicizing rewards for catching people but also that they won't be walking away like they have been.

Michelle Madoff moved to approve the Minutes of Tuesday, January 12, 1993.

Mr. Cohen seconded the motion.

Which motion prevailed.

And on the motion of **Michelle Madoff**

Council adjourned.

MUNICIPAL RECORD

Proceedings of the Council of the City of Pittsburgh

VOL. CXXVII

Tuesday, February 16, 1993

No. 7

Municipal Record

ONE HUNDRED TWENTY-SEVENTH COUNCIL

JACK WAGNER
President

MICHAEL PERRY City Clerk
LINDA M. JOHNSON-WASLER Asst. City Clerk

Pittsburgh, PA
Tuesday, February 16, 1993

PRESENT:

Mr. Cohen	Mr. O'Connor
Mr. Darkins	Mr. Onorato
Mr. Ferlo	Mr. Ricciardi
Michelle Madoff	Mr. Wagner, Pres't

The Meeting was opened by the recitation of the Pledge of Allegiance to the Flag of the United States of America, and a moment of silent prayer for peace throughout the world.

I pledge allegiance to the Flag of the United States of America and to the Republic for which it stands, one Nation, under God, indivisible, with liberty and justice for all.

PRESENTATIONS

Mr. Cohen:

Would the folks from the Steel Industry Heritage Corporation please come up here?

Mr. Cohen presents

No. 1994 WHEREAS, the industrial and cultural heritage of the City of Pittsburgh, center of a gigantic industrial complex that focused on steel making and related industries in the years between 1875 and 1930, played an important role in the development of the United States; and

WHEREAS, Pittsburgh is synonymous with the American Labor movement, as the USWA, the CIO, and other labor organizations were founded here; and

WHEREAS, the industrial and cultural heritage of the steel and related industries in this region includes the social history and living cultural traditions of the people of Pittsburgh and should play a role in the City's economic development, educational and recreational projects; and

WHEREAS, the Steel Industry Heritage Corporation has been mandated by the U.S. Congress and the Commonwealth of Pennsylvania to develop programs and projects with communities and organizations that

utilize the Pittsburgh region's industrial and cultural heritage for economic development, education, conservation and recreation efforts; and

WHEREAS, the Steel Industry Heritage Corporation is actively pursuing several projects to commemorate the steel industry in Western Pennsylvania, including the development of a Steel Heritage Center and designating historical sites for consideration to be included in the National Labor Theme Study.

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh hereby commends, congratulates and supports the Steel Industry Heritage Corporation for its outstanding efforts in preserving our heritage and incorporating our vital history into ongoing City and regional improvements; and

BE IT FURTHER RESOLVED, that Pittsburgh City Council proclaims Tuesday, February 16, 1993 to be "Steel Industry Heritage Corporation Day" in the City of Pittsburgh.

Mr. Cohen moved to adopt the resolution.

Mr. Ferlo seconded the motion.

Which motion prevailed.

Mr. Cohen:

It's really an honor to have here members of the Steel Industry Heritage Corporation. Our region has such a rich industrial history and this corporation is working very, very hard to preserve that history, including designating many historical history sites,

creating a National Steel Heritage Center. And the task force that is overseeing, or being a part of this corporation, includes six counties, including Allegheny County, and I believe there are six representatives from the City of Pittsburgh on that Steel Heritage Task Force.

So, this is really an organization that we need badly to preserve our history because we don't want to lose the physical evidence of this powerful industry.

We have here with us today Augie Carlino, Jr., who is the Executive Director of the organization and many of you know Augie's father who is the very distinguished Chairman of the 8th Ward Democratic Committee.

We also have with us the Chair of the Board of the Steel Industry Heritage Corporation, Joe DeBolt, and Mr. Harley Trife who is a Member of the Board but also the President of Preservation Pennsylvania and a member of the law firm of Reed-Smith. We also have Doris Dyan who is Director of Cultural Conservation for the Steel Industry Heritage Corporation.

You're all doing a very fine job and I congratulate you all for the work that you're doing. And I'd like to have Augie Carlino say a few words.

Mr. Carlino:

Thank you, Mr. Cohen and Members of Council and President Wagner. It's a great honor to be commended today by Pittsburgh City Council for the efforts that we are working with you and other community organizations in the City of Pittsburgh.

Steel Heritage got its start about 4-1/2 years ago as a small effort within several community organizations in the City and in the Mon Valley to try and save a part of our dying industrial history. But that effort has blossomed considerably; as Mr. Cohen has said, it now covers six counties. It includes about 350 communities throughout that region, and it has a membership of about 5,000 people.

We're working with a lot of governmental agencies in the region. We're working with a lot of other historical organizations. In Pittsburgh, in particular, the Historical Society of Western Pennsylvania and Pittsburgh History and Landmarks Foundation have played very important roles in the development of the project.

What we are trying to do is, with the Federal Government through the National Parks Service, and with the State through the Department of Community Affairs, develop sites in the region that will commemorate the history of not just an industry, but the heritage of the people that really transformed not only this region, but this nation into the industrial powerhouse of the world that we all know it and knew it as. It's the most important thing that we're doing because many projects like this commemorate only physical elements of history.

This project is striving to commemorate the history and heritage of a people. What we always see, and I'm not being critical of it, but we always see the testaments and the monuments to the great industrialists and entrepreneurs of the country, but rarely do we see any monuments to

the people that really worked in these industries and factories that made these people very famous. That's really the cornerstone of this project: To try and tell the story of the people of this region and their contribution to the economy of the region and to the greatness of our nation.

So, with your help, I hope we'll be able to enjoin all the other participants in this project from the Federal and State level and really put Pittsburgh back up on the level of being the premier industrial site in the world that it deserves to be.

Thank you very much.

Mr. Darkins:

I would ask Mr. Harper and his family to come forward please.

Being that this is the national month throughout the world, we are now into our third series of the month of February for Black History Month. Again today we are honoring one of our outstanding businessmen in the African American community. And especially to those that are taking note this morning by way of cable, you will understand our posture and our stand that we are taking in making people aware of African Americans in the City of Pittsburgh.

Mr. Darkins presents

No. 1995 WHEREAS, I. N. Rendall Harper, Jr. spent many years mastering Microphotography and in November, 1977 he founded American Micrographics Company, Inc., a company designed to convert databases to microfilm; and

WHEREAS, in 1960, I. N. Rendall Harper, Jr. taught photography at Duquesne University. In September, 1962 he was commissioned to establish Children's Hospital Medical Photography Department; and

WHEREAS, after completing his assignment, Mr. Harper enrolled in the University of Pittsburgh's Graduate School of Medicine Anatomy Department. He also worked and studied Microphotography and Basic Research in Histochemistry at the University School of Dentistry. In 1965, he joined International Business Machines; and

WHEREAS, in 1970, I. N. Rendall Harper, Jr., with other IBM associates, started Shared Medical Systems, Inc., a computer company specializing in Hospital Data Processing, where he served seven years as District Manager for the Pittsburgh office, and maintained its position as the number one office for seven years; and

WHEREAS, in November, 1977 American Micrographics Company, Inc. opened its first office in Monroeville, Pennsylvania, and in 1980 opened a second site in Orlando, Florida; and

WHEREAS, AMC holds approval from the Department of Labor for their Apprenticeship Program to certify Micrographic Technicians. AMC has trained over 200 people as equipment operators and micrographic technicians; and

WHEREAS, Mr. Harper, Jr. serves on many prestigious boards, including Federal Reserve Bank of Cleveland, Duquesne University, Pittsburgh High Technology Council, and is Vice-Chairman Minority of the Enterprise

Corporation and a past member of the Pennsylvania Technical Assistance Program and United Way of Allegheny County; and

WHEREAS, I. N. Rendall Harper, Jr. holds a Bachelor of Arts from Duquesne University and is married to Elizabeth Johnson Harper, AMC's General Manager. They have two children: I.N. Rendall Harper, III, a Duquesne University graduate and Tara Lee, a Princeton University graduate.

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh recognizes I. N. Rendall Harper, Jr. as an African American entrepreneur who combined his knowledge and skills and became a pioneer in an industry that changed the course of information gathering and storage.

Mr. Darkins moved to adopt the resolution.

Mr. Cohen seconded the motion.

Which motion prevailed.

Mr. Harper:

Thank you, Councilman Darkins, for this award.

We are a small family business and we have had the pleasure and honor of working here in Pittsburgh and we look forward to many more years here in the Pittsburgh community.

Mr. Darkins:

I would ask that Harvey Adams and the members of the Pittsburgh Branch NAACP come forward, please.

Mr. Darkins presents

No. 1996 WHEREAS, the Pittsburgh Branch NAACP began its struggle for Human Rights in 1915; and

WHEREAS, January, 1966 Harvey Adams, Jr., was elected as the Branch's President and served 16 consecutive years. In 1992, Mr. Adams did not seek re-election; and

WHEREAS, under Harvey Adams, Jr.'s tenure, the City of Pittsburgh, its residents and corporate structure, reached new heights in its attitudes, perception and treatment of African Americans; and

WHEREAS, through boycotting and non-violent efforts, the Pittsburgh Branch NAACP won victories that improved conditions and removed unjust barriers that prevented African Americans from exercising their constitutional right "that all men are created equal"; and

WHEREAS, under Mr. Adams, Jr.'s leadership, an annual tennis tournament was established, creation of the Heritage Day Parade, the only parade in the City of Pittsburgh that showcases African Americans, an annual food drive, continuing the Human Rights Dinner, and encouraged other causes designed to enhance African Americans' position in the City; and

WHEREAS, the Pittsburgh Branch NAACP's achievements were possible because its President and a dedicated Executive Committee worked together as a team to resolve and be the champion that postured African Americans as equal citizens.

NOW THEREFORE BE IT RESOLVED, that the Council of the City of Pittsburgh is conscious that without the Pittsburgh Branch NAACP, the City and its residents would exist in a closed vacuum harboring attitudes that foster division which prevents growth, harmony, and severely restrict the City's potential to utilize all talents; and

BE IT FURTHER RESOLVED, that the Council of the City of Pittsburgh applauds 16 year President Harvey Adams, Jr., and gives special recognition to the 1991-1992 Executive Board Members: Leon Howard, Jr., Raymond H. Rucker, M. Gayle Moss, Coretta B. Ogburn, Alma Speed Fox, Joetta Adams, Walter Anderson, Herbert Bean, Eugene C. Beard, Jr., Nathan L. Bennett, Bryd R. Brown, Esq., Ernest Clilford, Martha H. Garvey, Alma P. Harris, Barbara J. Sampson, Mattie W. Hester, Lottie Hoskey, William Howard, Jr., Paul Ingram, Raymond Johnson, Louis Kendrick, Marcella Lee, Lois J. McDonald, Constance Parker, Mary Portis, Esq., Richard Portis, Dr. Ralph Proctor, Jr., Marva J. Rucker, Christine Scott, Evelyn Smith, Dolores Stanton, Dr. Mary Lou Stone, Larry Thomas, Dr. Pinkie Familoni, Dock Fielder, Jr., and Reverends Ricky V. Burgess, Donald O. Clay, Samson Cooper, Toussaint K. Hill, Jr., Frederick A. Wright, John Venable, David H. Taylor and Frederick A. Wright for their efforts in making the City of Pittsburgh and its residents responsible to its citizens.

Mr. Darkins moved to adopt the resolution.

Mr. Ferlo seconded the motion.

Which motion prevailed.

Mr. Darkins:

I am so honored to have Harvey Adams come in and this delegation from the Pittsburgh Branch of the NAACP. As you look upon these people, these have been giants in their own rights in serving on the Branch and has brought us forward in the City of Pittsburgh.

This day is declared your day, Harvey Adams.

Mr. Adams:

To the President of Council and to the Bishop Duane Darkins and to the other Councilmembers, we very humbly thank you for this honor. This will certainly be treasured and the plaque will be placed in a very prominent position at our headquarters at 2201 Wylie Avenue. So, we invite you to come, all of you, even those who are visiting today, to come up and fellowship with us any time that you have the opportunity. The doors are always open.

We want to say very briefly, as brief as I can be, that these are the people who made my tenure in office bearable and easy. There was a bonding and a love that will never die. And when a President is able to exude caring for those who serve with him or her, it makes the job very easy. And that's what our Board was built on, mutual love and mutual respect, and that's going to be continued.

And you're going to hear from the NAACP. It's the oldest civil rights organization, and there's a reason for that: Because we seek nothing but justice. We don't have any points of personal privilege that we go after when we come down here and argue with

Council or the Administration. It's over something that is wrong, clearly wrong, and normally right does prevail. It takes a while sometimes.

And not that I can charge Council, but these, indeed, are troubled times and I ask you to be very judicious in looking at the budget. We know that we are all in peril because of the violence, but there's no quick fix. We didn't get in this shape in two minutes. The only thing that's quick is quick grits and quick oatmeal, so don't look to fix it overnight. Don't panic because of constituents screaming and hollering. Chart a course that will lead to alleviating the causes that make it easy for these people to recruit our children. Racism is one, one of the cornerstones of it, of the deprival and deprivation that our community has felt. Make sure that you adequately fund the Commission on Human Rights and that you completely empower them not only to rule it out in the communities, but to rule it out in City government. That's your charge, that's what you were elected for.

I'm not here to lecture you, because you all are very enlightened people. It's a very enlightened Board and a very enlightened Council. But you must accept that as your responsibility. And when you're doing your strategic planning, plan for the long haul and not the short haul.

And don't think that you can throw legislation at this problem. You can't do it. It's not a matter of legislation or police not having the power to curb this wrong-doing. Maybe they don't have the right allocation of

manpower, and I'm not being critical, but maybe that's one of the problems. Maybe we need more policemen.

Whatever the problems are, it's in your grasp and the Administration's to solve it. Seek money outside of the City budget. There's plenty of federal dollars; go out in concert with Mrs. Masloff's Administration, the Mayor, and get those funds and bring them into our community. Make job opportunities and training opportunities possible, because there's no point in telling a kid no to drugs, no to selling drugs, no to killing people, and you have nothing better to offer him or her.

So, I thank you for being tolerant and listening to me.

And, I thank you, Duane, for your sensitivity in doing what you do.

Michelle Madoff:

Harvey, I feel like I've known you most of my adult life. We have had our disagreements. But for the most part, I think we've been respectfully friendly. I admire your ability to be a wordsmith. You certainly can verbalize your concerns and the concerns of your people.

You know that many of my friends, including myself, have been lifetime members of the NAACP. I did it at a time when I was offered a pay out plan so I could sit on a political dias, and I said no, and I paid after the meeting in cash because the issue is more important than the individual.

I know that you are not going to disappear into the woodwork. I know that you are going to be out there working. And what I would like to suggest to you, if you happened to see "60 Minutes" this week, and if you didn't, you ought to send for the tape, about what the real problems are. What do you offer the children who don't go on to college, who don't have opportunities? There's a vast void in unskilled labor that we need to make skilled labor that can earn very good salaries and be a vital part of the community. And boy, you'd be the guy to head it up and I would love to work with you, have our City work as a liaison with the federal government. I think that's going to be one of the programs Clinton puts out tomorrow.

And thank God we have somebody like Duane Darkins who really dedicates his life to the Black Afro American community.

I personally want to thank you for everything you've done and I know that you and the NAACP members will remember those who are Johnny Come Lately's who suddenly discovered there's an Afro American community for their own personal reasons, and those of us who have been there from Day One.

Mr. Adams:

Thank you, Michelle.

If I just may add very quickly that even though many times it's very unpalatable, what the NAACP tries to tell people, they are really one of the few voices of reason in our community. If you fail to heed the voice of reason, then anarchy follows it.

Again, not to belabor it, you have a sacred trust and an awesome responsibility. God speed to all of you.

The Chair:

Thank you all.

Mr. Darkins presents

No. 1997 WHEREAS, on Saturday, February 13, 1993 the Black Women's Political Crusade celebrates their 14th year as a progressive union committed to empower men and women; and

WHEREAS, on February 13th, the Black Women's Political Crusade will host their annual Sweetheart's Luncheon and Fashion Extravaganza at the Southern Platter to honor individuals who have excelled in community and political endeavors; and

WHEREAS, the 1993 Sweetheart recipients are Nellie M. Cathie and Gwendolyn Elliott; and

WHEREAS, Nellie M. Cathie shares her time and expertise to causes that benefit the community at large such as serving with the Pittsburgh Branch NAACP, Urban League, Swan Civic Club, and the United Negro College Fund, and is a member of the Mt. Ararat Baptist Church and its Gospel Choir, employed by Bethesda Center in the Family Life Skills Program, is Grand Worthy Matron of the Deborah Grand Chapter Order of Eastern Star Prince Hall Affiliated for the Commonwealth of Pennsylvania, and has held many posts within the fraternal order and has also served as Judge of Elections and Committeewoman for Allegheny County; and

WHEREAS, for over 20 years, Gwendolyn Elliott has dedicated her career to protecting citizens' rights. Ms. Elliott is the City of Pittsburgh's first African American woman to hold the position of Commander in Charge of Office of Family Violence, Youth and Missing Persons, is the first Night Watch Commander and female Police Sergeant, serves on several boards that promote improved lifestyles and attitudes, including the American Civil Liberties Union, United Cerebral Palsy, Women's Health Services, and the Greater Pittsburgh Commission for Women, and is President of Pittsburgh Community Services. In 1991, the Pittsburgh Post Gazette honored her with their Outstanding Citizens Award.

NOW, THEREFORE BE IT RESOLVED, that the Council of the City of Pittsburgh congratulates Nellie M. Cathie and Gwendolyn Elliott for their outstanding contributions to the City of Pittsburgh and its residents, and further recognizes them as women with guided vision to successfully challenge boundaries; and

BE IT FURTHER RESOLVED, that the Council of the City of Pittsburgh commends the Black Women's Political Crusade for encouraging men and women to be active participants in political and community ambitions and further salutes Executive Convener, Constance Parker, for her dedication to the Crusade's goals and objectives and its founder, Cathryn L. Irvis, for mobilizing women to take action in a process that affects all.

Mr. Darkins moved to adopt the resolution.

Mr. Ferlo seconded the motion.

Which motion prevailed.

Mr. Darkins presents

No. 1998 WHEREAS, Delta Sigma Theta Sorority, Inc., was founded January 13, 1913 at Howard University and today exceeds a world-wide membership of 175,000 women; and

WHEREAS, the Pittsburgh Alumnae Chapter of Delta Sigma Theta Sorority, Inc. celebrates the 80th Anniversary of the Sorority's founding on Saturday, February 13, 1993 at the Vista Hotel in the City of Pittsburgh; and

WHEREAS, the Pittsburgh Alumnae Chapter supports and upholds the Sorority's goals to serve as a branch that empowers young adults and women to reach their potential; and

WHEREAS, the Pittsburgh Chapter meets its mission by: providing post secondary scholarships to men and women; sharing time with mothers and children sheltered at Womanspace East; on-going involvement with the "Dorothy Day Mentoring Project"; sponsoring "Visions" an educational enrichment program for young African American females which focuses on building self-esteem, career development, leadership skills and education achievement; and

WHEREAS, the Pittsburgh Chapter also contributes to children's programs that encourage reading, appreciation for the arts and letters, and programs that promote continuous development.

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh commends Delta Sigma Theta Sorority, Inc. for its

commitment to the City of Pittsburgh and its residents and is appreciative to Chapter President, Mrs. Christine White Taylor, and Vice-President, Mrs. Tawnya Moore-McGhee, for their leadership and invaluable contributions to the City; and

BE IT FURTHER RESOLVED, that the Council of the City of Pittsburgh salutes Delta Sigma Theta Sorority, Inc. on its 80th Anniversary, and further welcomes Delta Sigma Theta Sorority, Inc.'s National President, Dr. Bertha Maxwell Roddy, to the City of Pittsburgh and extends well wishes for a successful tenure.

Mr. Darkins moved to adopt the resolution.

Mr. Ferlo seconded the motion.

Which motion prevailed.

Mr. Ferlo:

I'd like Chief Dickinson and the representatives of the Fire Bureau to come forward, as well as WDVE and the Bloomfield Citizens Council, Father Oliveri and Sister John from the Immaculate Conception Church and School and the Neighborhood Organization, the Block Watch Safety, Patty, Ed, everybody else.

I'll try to do this resolution quickly; it's a little bit long-winded. I'm going to ask my colleague, Mr. Onorato, who chairs the Public Safety Committee if he could help me out in this proclamation.

Mr. Ferlo presents

No. 1999 WHEREAS, on January 17, 1993, tragedy struck our City and the community of Bloomfield

when a horrific blaze engulfed two adjacent apartment buildings on Taylor Street; and

WHEREAS, the raging 6-alarm fire caused the tragic deaths of three Bloomfield residents who resided in these dwellings which were completely destroyed; and

WHEREAS, the quick and heroic response to this structural fire by the City of Pittsburgh's Fire Bureau and other Public Safety personnel kept the blaze from spreading to the neighboring homes; and

WHEREAS, the Fire Bureau handles many life threatening emergencies on a regular basis, at all hours of the night and day, and are called upon to quickly save people who are in acute danger from a fire; and

WHEREAS, the City Council of the City of Pittsburgh wishes to commend Truck Company No. 6 personnel for their heroic fire fighting efforts in saving lives and for their valiant efforts to contain the fire from other Bloomfield homes; and

WHEREAS, cited for commendation are the following firefighters: Assistant Chief Robert J. Conley; Deputy Chief, "B" Platoon, Eugene Thomas; Donald Phillips, Captain Engine Co. No. 39 "B" Platoon: Robert Hirosky, Battalion Chief, 3rd Battalion Chief, "B" Platoon; all Officers and Firefighters from Engine Co. Nos. 6, 11, 8, 5, 3, 18, 32, 7, 10, 37, 4, 17 and 27, "B" Platoon; all Officers and Firefighters from Truck Co. Nos. 6, 8 and 14, "B" Platoon; Engine 39 (Safety Unit) and MAC Unit, John Kraszewski, Truck Co. No. 6, "B" Platoon; Dino Abbott, Firefighter, Truck No. 6, "B" Platoon; Paul Barkley,

Firefighter, Engine Co. No. 6 "B" Platoon; Basic McLeod, Captain, Engine Co. No. 6 "B" Platoon; Fred Banach, Lieutenant, Truck Co. No. 6, "B" Platoon; and

WHEREAS, the Council of the City of Pittsburgh also wishes to commend the special contributions of various community organizations, merchants and institutions including: The Bloomfield Citizens Council and their volunteers for the donation of \$500.00 to the American Red Cross for the Fire Victims Fund; West Penn Hospital's management and personnel for continuing to donate three free meals a day to the residents of 220 - 230 Taylor Street, Columbia/Regal Apartments; the Bloomfield Bridge Tavern and Radio Station WDVE for the combined efforts which raised donations of \$4,200.00; the Bloomfield Bridge Tavern for giving 25 percent of one day's income which amounted to \$300.00; to Father Oliveri of Immaculate Conception Church of Bloomfield for taking up a collection which came to \$3,000.00; and to the children of Immaculate Conception School of Bloomfield under the guidance of Sister John for their contribution.

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh hereby commends all Department of Public Safety personnel, the residents, merchants, and community of Bloomfield and others across our great City for their special leadership and kindness during a period of great tragedy. The community of Bloomfield is what makes Pittsburgh truly "someplace special."

Mr. Ferlo moved to adopt the resolution.

Mr. Onorato seconded the motion.

Which motion prevailed.

Mr. Ferlo:

At this time I thought maybe we'd go through this, and before I bring some of the community representatives up, I thought it would be appropriate if Chief Dickinson comes forward, and if he could help assist in this effort. We have specific plaques for the Firefighters and I thought it would be appropriate, Chief, if you could speak. I was very proud when you sent all of Council the commendation notices, if you want to refer to the specifics here. The first three are John Kraszewski, Dino Abbott and Paul Barkley.

And maybe Councilman Onorato could come forward and present these three specific plaques.

Chief Dickinson:

Right now, the Fire Bureau has just embarked on a very special training program for 1993. The title of the program is "Tactics and Strategy" but there's kind of a slogan that goes along with it; it's called "Fighting the Dragon." The Dragon is the fire.

For those who were there that morning on Taylor Street, which I believe was on January 17th, they will never forget that fire. That's not to say that Pittsburgh hasn't had serious and more serious fires than that. But for that one particular moment in time that morning, the residents of the buildings, 220 Taylor Street and 230 Taylor Street, had the most significant emotional event of their lives, and that's watch fire destroy not only their neighbors, take lives, but change their lives forever.

For those people who weren't there that morning, obviously, you can't really relate what a fire is like until you go through it, experience, the neighborhood experiences it and the tragedy after a fire. But in our business, we address fires by alarm levels. Obviously, if you have a one-alarm fire in your own home, that is a tragedy. But because we do that on such a regular basis, we define serious fires by levels of alarm, not by lives lost. That was a six-alarm fire, and even though Councilman Ferlo read off a lot of companies, I assure the community that we still had companies left in the City. But there were a lot there that morning.

I thought what was unique about that fire was the fourth, fifth and sixth alarm companies were working just as hard as the first three alarms. And that's what made that fire different.

I'm going to accept this proclamation for a lot of people. Obviously, we would love to have every officer and firefighter and paramedic at a police office and Red Cross and Salvation Army and the community itself that brought a focus to that fire that we rarely see, but we know that's not possible.

It's very difficult to single out people when they do particular things that some people would say were paid to do. But that's not really true. You can only pay so much to get so much. But in our line of work we think we're blessed because we have a rare job that every once in a while, if the equipment is right, your company is in the right place, you can literally save a human life. There's not too many jobs like that. There's important jobs, probably, in some perspective, more important jobs. But we don't

think there's any job more important than the saving of a human life.

And these three gentlemen that are standing here in the blue uniforms have had that experience. Their truck company physically was placed so they could get on the end of the aerial ladder and physically rescue a woman out of a window on the third floor who would literally not be here today, even though she was severely burned.

There's another gentleman sitting in the back, Deputy Chief Thomas, and a Captain by the name of Phipps, who entered the back of the building and rescued a man on the second floor who would literally not be with us today.

Why is that special? It's because that takes initiative. It takes the willingness to put yourself in harm's way to do actions like that.

I would be not fair to the rest of my Bureau, though, if I didn't accept this proclamation today by Councilman Ferlo and the rest of Council here, without mentioning that this is not unusual for the Fire Bureau. In the past six months, on September 1st, an adult male and child were rescued on Gladstone Street by two off-duty firefighters. On October 23rd at Negley, a one-alarm fire, it didn't get much press, but an Engine Company under the leadership of Jack Kerrington and Frank Large rescued a female senior citizen who needed dire help. The Wealth Street fire on October 23rd, under Captain Ruckles, Engine Company 37, a male adult was rescued off the second floor. A First Responder incident in Parkway Center Mall through equipment that we've had in training, Someone who was

literally dead was revived by a First Responder Crew under Captain William Gibbs. These three gentlemen on the Taylor Street fire. And then just again Sunday, two police officers, Janet Evert and David Jellison who did the rescue. Meanwhile, three other firefighters entered the building and brought out three or four more other people.

Those are absolutely heroic deeds. And it's difficult to stand here and say as the Fire Chief on that morning, watching these three gentlemen in the aerial, that that fire was going to be stopped where it did. That was a maximum, all-out effort by everyone who responded to that fire.

I think the most impressive thing after the fire, though, was the outpouring of help and concern by the community itself, and I want to personally thank the Bloomfield Community Council for their efforts and their help and their understanding as we had the long victim recovery process that we did.

There are moments that I question sometimes why I am the Fire Chief. But there are moments like this that I couldn't be prouder and acknowledge what was accomplished. Thank you very much.

Mr. Ferlo:

Chief, I realize that there are probably several hundred people, at least it seemed that many, firefighters involved in the situation on Taylor Street. We do have a plaque also for Eugene Thomas and we have Robert Conley, Captain Don Phillips, and we have Fred Banach, Lieutenant, from Truck Company 6. We have Robert Hirosky and Basil McLeod, Captain.

By the way, this is an Outstanding Meritorious Valor Award for other outstanding life-saving efforts rendered during a time of crisis caused by the tragic Taylor Street fire.

This also goes to Chief Charlie Dickinson who was up there night and day. And on behalf of City Council and all the public, I'd like to present that to you, Chief, and all of the officers and firefighters from all of the various engine companies. Thank you.

At this time we'd also like to recognize that, as the Chief spoke, Bloomfield is certainly no different than a lot of other neighborhoods, but it's certainly one neighborhood that pulls together when there's a time of tragedy.

At this time, I would like to present this to Janet Scullion, to the Volunteers Board and Officers of the Bloomfield Citizens Council. And we have some of the block watch committee folks here.

Janet, on behalf of City Council we'd like to present this Outstanding Meritorious Service Award for the efforts of the Bloomfield Citizens Council. It's being presented to BCC for their outstanding contribution of time, energy, assistance, caring and compassion rendered during a time of crisis caused by the tragic Taylor Street fire of January 17, 1993.

Ms. Scullion:

Jimmy, I would like to first thank the firemen for the job they did. We would have lost an entire block, not just what we did lose,

if it weren't for these men. It's amazing if you're down there to see the close proximity of the homes that were really just made of wood that were right next to them, and these men saved those homes in addition to saving the lives that many more could have been lost

The other thing I think is very important to recognize here, and I want to say to all of you that are in this room, Bloomfield is no accident. Bloomfield is like it is and what it is today because we work 24 hours a day in that community. We do work 7 days a week as a community organization. We're called on if somebody gets a thumb tack in their toe; that's how many calls we get. The calls rang feverishly about this fire and the team work began.

But we have 21 standing committees. We have over 400 volunteers in the Bloomfield Citizens Council who work without pay, without any administrative costs. We have no one on the payroll and that's all given through love of the community with many generations.

Jimmy has been a part of our family team. He kept his campaign promises. He stayed with us from the beginning, and he's worked very closely with the residents of Bloomfield and with the Bloomfield Citizens Council. We're very grateful to him for that.

And I also think that we can't go without mentioning the hard work, the teamwork that goes with the people who work beside me night and day. I want to call up here the person who worked very hard on this fire, Patty Ladasky and Ed Wohlfeil. Patty is Vice-President.

Ms. Ladasky:

I would just like to say a few words. First of all, thank you for the award.

I want everyone here that can't relate to the 220 or 230 fire on Taylor Street to ride by and look at this scene. You'll see now, they call it the "Clean up Job." But as I stand here, I want to reflect on that night when the six alarm fire was blazing and we stood there and we watched it. And we did fear, not only for the block, but possibly the entire half a community could have gone up. The firemen did an outstanding job, as all the EMS services. And for the days that followed, there was a person that was in there and was carried out with dignity.

We are all proud, every single one of us as we stand here today. We're proud to be a City of Pittsburgh resident. Thank you very much.

Mr. Ferlo:

Also, a few others. The Bloomfield Bridge Tavern who was not able to be down here today, we want to get them their plaque. They made a very big effort in helping to raise money.

We also will communicate this plaque to the Board and employees of West Penn Hospital for their on-going contribution to help the families that were displaced.

But at this time, I'm very happy to have Father Oliveri and Sister John here also. I'd like you both to have an award for the tremendous effort that you made, both at the school and within the congregation, in helping to raise money.

Father Oliveri:

I'm very grateful to these wonderful firemen. I saw the job they did and they couldn't have done a better job. My heart goes out to them in thanksgiving.

Somebody said, "They're all your parishioners." You know, there was not one that belonged to my parish, Immaculate Conception. But to me, they're my parishioners. People of Bloomfield all belong to the Immaculate Conception Church. We're all our brothers and sisters, we're all our children, and we don't look and say, "Hey, they don't belong." No. They're persons, they're human beings. And it was so great to see our Church donate and Sister John getting the school kids together with the Bloomfield group of ours. We go all out. We live as a wonderful little community and it's one big family. And that's why I'm so proud to be a member of the Bloomfield Immaculate Conception Church.

Thank you, Mr. Ferlo, and God bless you and you firemen and all those connected with this. You'll certainly be in my daily prayers and my daily masses. The Good Lord were worth no greater love, God says, than any man that he who tries or gives his life for a friend. And these men did that. God bless you and God love you.

Mr. Ferlo:

One of the great radio stations, although I don't listen to them a lot, although I did happen to listen to them this morning since they have a crazy, wild show, WDVE, I happen to listen to MIXED JAMZ before they went country. But I want to bring

Danny Coates up here from WDVE because I have found that this is one radio station, especially Scott Paulsen and Jimmy Krenn, who really go above and beyond. They specifically put together a fund-raising effort with the Bloomfield Bridge Tavern, and Danny would like to say a few words on behalf of the radio station.

Mr. Coates:

As a reporter, I've suffered through enough of these meetings that I don't want to drag this one out anymore.

I just want to accept this and say thanks for everybody at the station, including Jimmy and Scott, those two goofballs.

And I want to accept this award on behalf of our listeners who were the ones crazy enough to get up and go to a bar at 6:00 in the morning to raise all this money.

And thanks again to the people at the Bloomfield Bridge Tavern, because they've gotten together with us several times to raise money for worthy causes. Thanks very much.

Mr. Ferlo:

Last but not least, I would like to recognize Joey King, President of the Firefighters Local 1.

Mr. King:

Good morning and thank you.

We, too, as the President of the Professional Firefighters Organization Local No. 1, share the same sentiments as our Chief, Chief Dickinson.

I would be remiss if I wasn't to mention our sincere appreciation and gratitude to Janet Scullion, Bill Bradley, and the whole Bloomfield Citizens Council. They've worked alongside of us many, many times in trying to improve public safety in that community and every community within the City.

I would share the thoughts that I believe that all three of these firefighters today would say to you is that the professional firefighters and the activities and the rescues and everything that went on that particular morning of January 17th only simplifies the true responsibilities that professional firefighters face with every day. The magnitude of this fire, and the confusion, and the responsibilities that these gentlemen and the rest of all firefighters who participated in that unfortunate incident that morning faced, our ultimate goal was not achieved. Yes, we did have fatalities. But the primary goal of a professional firefighter in every fire is the rescue of endangered occupants. Unfortunately, we had three fatalities.

But many, many more positive things occurred that morning and the learning experience that it will carry on in what we can correct in our own profession and in the Bureau of Public Safety.

Again, I accept this as the President of my local with sincere appreciation and gratitude for the recognition. Thank you very much.

Mr. Ferlo:

Thank you. On that up-note we'll close this, and I want to thank Council for the extra time.

But I do want to say hello to Captain Bobby Abbott out there who just retired a few days ago after I think over 40 years of service. And he's the father of this guy here to my left, Dino Abbott.

Mr. Cohen:

That morning I got into my car and I was about to go to Reverend Darkins' Church because he had invited us there for a service that morning, and I turned on the radio and heard about the Bloomfield fire. I turned around and went to Taylor Street. I'm glad that I did, because I saw some real heroism in action. These firefighters were putting themselves in dangerous positions and going through to put that fire out and really walking through rubble and doing very, very brave activities on behalf of the community, on behalf of Bloomfield. And you can only know it by seeing it and I just want to thank you all personally.

I also want to thank the community for pulling together. They really did.

I want to thank Janet Scullion and the Bloomfield Citizens Council, Father Oliveri and Sister John from the Immaculate Conception Church.

Everyone altogether has reason to be happy for their bravery and for pulling together. Thank you.

Michelle Madoff:

I think we shouldn't forget too soon that the people who put their lives on the line in fighting the fires, and we've praised them today for their heroism, but we don't want to listen to them when they come to us and tell us what we need in the

way of equipment and what we need in the way of fire stations. Let's remember that, that they have some meaningful input.

The Chair:

Thank you all.

Mr. Cohen presented

No. 1954 Resolution providing for the filing of a petition or petitions for the sale of certain property or properties, acquired at tax sales in accordance with Act No. 171 of 1984, "Second Class City Treasurer Sale and Collection Act," effective December 11, 1984.

Which was read and referred to the Committee on Finance.

Mr. Cohen moved to suspend Rule 8 by providing for consideration of the bill only until or after the 8th calendar day following the meeting in which the bill was introduced so the bill will be on the agenda this Wednesday.

Mr. O'Connor seconded the motion.

Which motion prevailed.

Also,

No. 1955 Resolution providing for the issuance of a warrant in the sum of \$10,750.00 to Robert Weber and Elizabeth Weber, c/o Stanley E. Hilton, Esquire, 703 Law & Finance Building, Pittsburgh, PA 15219, in full and final settlement of alleged personal injuries regarding an accident at the intersection of Beltzhoover Avenue and Warrington Street on or about February 10, 1989, payable from Code Account No. 46, Judgments.

Also,

No. 1956 Resolution providing for the issuance of a warrant in the sum of \$2,500.00 to Clifford Moeller and Veronica Moeller, his wife, c/o John W. Bitonti, Esquire, Yablonski, Costello, Leckie & Chaban, 505 Washington Trust Building, Washington, PA 15301 in full and final settlement of alleged personal injuries regarding a falldown at 1017 Fifth Avenue, on or about May 17, 1988, payable from Code Account No. 46, Judgments.

Also,

No. 1957 Resolution providing for the issuance of a \$8,000.00 warrant in favor of Patricia Hoffman in settlement of claim for property damage incurred when a supply line burst resulting in a significant flow of water into claimant's property at 3005 Glen Mawr Avenue on January 6, 1992, payable from Code Account No. 46, Judgments.

Also,

No. 1958 Resolution authorizing and directing the Mayor to issue and the City Controller to countersign a warrant in the amount not to exceed \$20,000.00 in favor of Utica Mutual Insurance, P.O. Box 530, Utica, NY 13503 for a one million dollar Surety Bond for the City of Pittsburgh's Workers' Compensation Program, chargeable to and payable from Code Account 44, Workers' Compensation, Department of Finance.

Also,

No. 1959 Resolution providing for the issuance of warrants from time to time in the aggregate amount not to exceed \$3,000.00 in favor of various educational institutions which provide transcripts for the benefit of the

City in connection with the Civil Service processing of Police Officer candidates, chargeable to and payable from Code Account No. 1100, Misc. Services, Dept. of Personnel and Civil Service Commission.

Also,

No. 1960 Resolution providing for the issuance of warrants in the aggregate amount not to exceed \$10,000.00 in favor of persons who provide professional services in connection with the administration and implementation of oral examinations given as part of the Civil Service Commission's entry examination for Police Officer, chargeable to and payable from Code Account No. 1100, Misc. Services, Dept. of Personnel and Civil Service Commission.

Also,

No. 1961 Resolution providing for the issuance of warrants in the aggregate amount not to exceed \$5,000.00 in favor of persons who provide professional proctoring services for the benefit of the city in connection with the administration of the Civil Service Commission's written examinations, chargeable to and payable from Code Account No. 1100, Misc. Services, Dept. of Personnel and Civil Service Commission.

Also,

No. 1962 Resolution providing for an Agreement or Agreements with various hospitals and/or physicians for professional services in connection with the administration and evaluation of medical examinations and tests for the Civil Service Commission's Medical Examination Program for uniformed and other employees and candidates for employment and

promotion, at a cost not to exceed \$150,000.00, chargeable to and payable from Code Account No. 1100, Misc. Services, Dept. of Personnel and Civil Service Commission.

Also,

No. 1963 Resolution providing for an Agreement or Agreements with Consultant or Consultants for professional services in connection with the research, evaluation, validation, preparation, administration, scoring, and interpretation of Civil Service Examinations at a cost not to exceed \$100,000.00, chargeable to and payable from Code Account No. 1100, Misc. Services, Dept. of Personnel and Civil Service Commission.

Also,

No. 1964 Resolution providing for an Agreement or Agreements with Consultant or Consultants for professional services in connection with the evaluation of applicants as part of the Civil Service Commission's psychological assessment program for entry level Police Officers, at a cost not to exceed \$20,000.00, chargeable to and payable from Code Account No. 1100, Misc. Services, Dept. of Personnel and Civil Service Commission.

Also,

No. 1965 Resolution Repealing resolutions, approved on various dates, authorizing the sale of properties in various Wards of the City of Pittsburgh, in accordance with Act No. 171 of 1984.

Also,

No. 1966 Resolution providing for conveyance by the City of

Pittsburgh of certain property, under Act No. 171 of 1984, entitled, "Second Class City Treasurer Sale and Collection Act," effective December 11, 1984.

Also,

No. 1967 Communication from Melanie J. Smith, Director, Dept. of Personnel and Civil Service Commission, requesting approval for John Turyan, Chair, Pittsburgh Private Industry Council, (a non-City employee) to attend the 1993 PIC Forum on February 28 through March 2, 1993 in Washington, D.C. at a cost not to exceed \$1,157.00, payable from JTPA-1 Trust Fund.

Which were severally read and referred to the Committee on Finance.

Mr. Darkins presented

No. 1968 Resolution Providing for the Issuance of a Warrant in favor of Michael Facchiano Contracting, in the amount of \$138,398.96 for extra work performed at the Schenley Park Plaza Parking Lot, chargeable to and payable from Code Account Schenley Park Plaza Trust Fund.

Which was read and referred to the Committee on Finance.

Also,

No. 1969 Resolution authorizing the Mayor and the Director of the Department of Public Works, on behalf of the City of Pittsburgh to enter into an Agreement or Agreements, or the use of existing Agreements, with the Commonwealth of Pennsylvania, providing for reimbursement to the City of costs for salting and snow

plowing State Highways within the City limits. All such reimbursements received from the Pennsylvania Department of Transportation shall be deposited into the Liquid Fuels tax Trust Fund.

Also,

No. 1970 Resolution providing for the letting of a Contract or Contracts, or the use of existing Contracts for the construction of picnic shelters with site amenities for the Dept. of Public Works, at a cost not to exceed \$30,000.00, chargeable to and payable from Code Account 3-01-04-0080-93, Erect Non-Permit Pre-Fab Picnic Shelters, Dept. of Public Works.

Which were read and referred to the Committee on Public Works.

Also,

No. 1971 Resolution providing for the letting of a contract or contracts, or the use of existing Contracts for safety surface installation for the Dept. of Public Works, at a cost not to exceed \$3340,000.00, chargeable to and payable from Code Account 3-01-40-0054-93, Play Area Safety Improvements, Dept. of Public Works.

Also,

No. 1972 Resolution providing for the letting of a Contract or Contracts, or the use of existing Contracts for concrete repairs for the Dept. of Public Works, at a cost not to exceed \$57,000.00, chargeable to and payable from Code Account 3-01-40-0050-93, concrete Repairs, Dept. of Public Works.

Also,

No. 1973 Resolution providing for the letting of a Contract or Contracts, or the use of existing Contracts for asphalt repairs for the Dept. of Public Works, at a cost not to exceed \$91,000.00, chargeable to and payable from Code Account 3-01-40-0030-93, Asphalt Repairs, Dept. of Public Works.

Also,

No. 1974 Resolution providing for the letting of a Contract or Contracts, or the use of existing Contracts for various repairs and emergencies for the Dept. of Public Works at a cost not to exceed \$70,000.00, chargeable to and payable from Code Account 3-01-40-0040-93, Major Repairs and Emergencies, Dept. of Public Works.

Also,

No. 1975 Resolution providing for the letting of a Contract or Contracts, or the use of existing Contracts for fence repairs for the Dept. of Public works, at a cost not to exceed \$30,000.00, chargeable to and payable from Code Account 3-01-40-0070-93, Fence repairs, Dept. of Public Works.

Which were severally read and referred to the Committee on General Services.

Also,

No. 1976 Resolution granting unto Leo D. Sweeney, 6867 Reynolds Street, Pittsburgh, PA 15208, his successors and assigns, the privilege and license to construct, maintain and use at his own cost and expense, a fire escape over a portion of the sidewalk of Mary Street in the

17th Ward, 3rd Council District of the City of Pittsburgh.

Which was read and referred to the Committee on Public Works.

Mr. Ferlo presented

No. 1977 An Ordinance amending the Pittsburgh Code, Title Nine, Zoning, Article III, Chapter 921, Section 921.02, Zoning District Map Nos. 6 and 7, by changing from "M3" Light Industrial District to: (a) "M1" Limited Industrial District all that certain property bounded by: East Lacock Street; and C6-C Zoning District boundary line between East Lacock Street and Anderson Street; Anderson Street; North Canal Street; the center line of the Veterans' Memorial Bridge; Progress Street; and Madison Avenue; 23rd Ward. (b) "S" Special District all that certain property bounded by: River Avenue; the spa Zoning District boundary line southwest of Herr's Island; the Allegheny River; and the Fort Wayne Railroad Bridge; 23rd and 24th Wards.

Also,

No. 1978 Resolution approving a Conditional Use Exception under Section 993.01(a)A(8)&(26) of the Pittsburgh Code, Title Nine, Zoning, Article V, Chapter 993, to Allegheny General Hospital located at 320 East North Avenue for authorization to construct a twister addition above the existing two story Northwest Wing/Emergency Department and a three-level parking facility that includes a relocated helicopter landing area on property zoned "1-M" Institutional-Medical District, 22nd Ward.

Also,

No. 1979 Resolution approving a Conditional Use Exception under Section 993.01(a) A(33) of the Pittsburgh Code, Title Nine, Zoning, Article V, Chapter 993, to Western Manor, Incorporated, for authorization to convert the existing five-story structure located at 2851 Bedford Avenue, identified as Building "D", into thirty-nine (39) units of housing for the elderly and one (1) for a resident manager, a community clinic, and a Senior Citizens Center, with parking to accommodate twenty-four (24) automobiles, on property zoned "R4" Multiple-Family Residence District, 5th Ward.

Which were severally read and referred to the Committee on Planning, Housing and Development.

Also,

No. 1980 An Ordinance amending the Pittsburgh Code, Title One, Administrative, Article III, Organization, Chapter 116, Department of Public Safety, authorizing the Director, Department of Public Safety, to establish a Bias Crimes Unit within the Bureau of Police.
---(SPONSORED BY MR. FERLO)

Which was read and referred to the Committee on Public Safety.

Mr. Ferlo moved to suspend Rule 8 by providing for consideration of the bills only until or after the 8th calendar day following the meeting in which the bills were introduced so the bills will be on the agenda this Wednesday.

Mr. Darkins seconded the motion.

Which motion prevailed.

Michelle Madoff presented

No. 1981 Communication from Michelle Madoff requesting permission and reimbursement for Rick Schlauder and David Bullock, Vice President of Gershman, Brickner & Brattson (GBB Solid Waste Management Consultants) of Falls Church, Virginia, to travel to Pittsburgh, March 2, 1993, for a presentation before Council for a state of the art update on recycling for 1993.

Which was read and referred to the Committee on Finance.

Michelle Madoff moved to suspend Rule 8 by providing for consideration of the bill only until or after the 8th calendar day following the meeting in which the bill was introduced so the bill will be on the agenda this Wednesday.

Mr. Cohen seconded the motion. Which motion prevailed.

Also,

No. 1982 An Ordinance supplementing the Pittsburgh Code, Title Two, "Fiscal," Article VII, "Business Related Taxes," Chapter 243, "Business Privilege Tax," by amending Section 243.05, "License Required Fee, Issuance and Posting." --- (SPONSORED BY MICHELLE MADOFF)

Which was read and referred to the Committee on Finance.

Mr. Onorato presented

No. 1983 Resolution authorizing the transfer of \$5,000.00 from Code Account 1401, to GTF, Graffiti Trust Fund. This transfer is necessary to fund the trust fund for services rendered.

Which was read and referred to the Committee on Finance.

Also,

No. 1984 Resolution providing for a Contract or Contracts to purchase portable radios for the Bureau of Police at a cost not to exceed \$97,000.00, chargeable to and payable from PEMATF, Dept. of Public Safety, Emergency Operations Center.

Which we read and referred to the Committee on General Services.

Also,

No. 1985 Resolution providing for an Agreement or Agreements with instructors to conduct training at the Training Academy with recruits at a cost not to exceed \$24,000.00, chargeable to and payable from PSTA, Dept. of Public Safety.

Also,

No. 1986 Resolution providing for a Contract or Contracts from time to time in connection with demolition and removal of condemned buildings at a cost not to exceed \$1,000,000.00, chargeable to and payable from Code Account Capital Project Funds, (3-27-10-0005-93), demolition and/or Sealing of Condemned Buildings, Including Site Restoration and Boarding and Party Walls.

Which were read and referred to the Committee on Public Safety.

Mr. Ricciardi presented

No. 1987 Resolution providing for the issuance of a warrant in favor of Public Strategies, Inc., One Bigelow Square, Suite 616, Pittsburgh, PA 15219, in the amount of \$3,200.00 in payment for

professional consulting services rendered to Councilman Eugene Ricciardi for the month of January and February 1993, chargeable to and payable form Code Account 1001-2, Salaries, Wages and Services of Council, As Needed, (Index Code 100123), City Council, District 3. --- (SPONSORED BY MR. RICCIARDI)

Which was read and referred to the Committee on Finance.

The Chair presented

No. 1988 Communication from Tom Flaherty, City Controller, submitting the Fiscal Audit of the Department of Parks and Recreation, Phipps Conservatory dated August 1992.

Also,

No. 1989 Petition from the residents of the City of Pittsburgh requesting a public hearing before City Council on the issue of burning hazardous waste and tires in cement kilns and the potential harm from the use of cement of cement made with hazardous waste.

Which were read, received and filed.

UNFINISHED BUSINESS

Michelle Madoff:

I'm not sure, Mr. President, whether you wish to deal with this Unfinished Business now or at the end of the meeting. You may give a ruling.

As you know, the City Clerk has informed our office that the hearing on the curfew will be on the 4th of March. And as you stated accurately, I asked to have

that hearing, which was earlier scheduled, canceled because there wasn't enough time to notify people. And you keep reminding everybody that I was the one that asked to have it cancelled.

Now we've got a date and I would like to point out that we sent out a mailing out of our office, an important mailing about some problems in our community to some people. It was mailed six days before it was received. If I have to allow a week for bulk mailing, and I need a week to get the literature prepared to send out, and then any time for people to respond, there is not enough time between now and March 4th. So I'd like to have it around the 14th. But I'd like to point out the problems we have with the mailing.

The Chair:

I will reschedule the public hearing at a later date, at least a week beyond the 4th.

Michelle Madoff:

Thank you.

REPORTS OF COMMITTEES

Mr. Cohen presented

Bill No. 1990

Report to the Committee on Finance for February 10, 1993 transmitting one ordinance and sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 1812

An Ordinance entitled, "An Ordinance supplementing the Pittsburgh Code, Title II, Fiscal, Article IX - Property Taxes, Chapter 263, Real Property Tax, by creating a real property tax exemption program and a process for application thereunder." (AS AMENDED IN COMMITTEE) --- (SPONSORED BY MR. RICCIARDI, MR. ONORATO, MR. COHEN AND MR. FERLO)

Which was read.

Mr. Ferlo:

I'd like my comments brought forward on Bill 1812 and I do want to thank Mr. Ricciardi and his consultants specifically on this bill.

This is a bill that is very important trying to reform the property tax reassessment. It's going to, hopefully, help a lot of elderly property owners in this City and certainly property owners in neighborhoods that are affected by the upscale development and increases in property value.

I think it's a great piece of legislation and I appreciate the fact that the Administration is willing to be supportive of the bill and also that the bill is not really localized to any one specific neighborhood, but it takes on uniformity throughout the City.

Mr. Cohen:

I'd like my comments brought forward on the same bill.

Mr. Onorato:

Please bring my comments forward, also.

The Chair:

I also would like my remarks brought forward.

(REMARKS ON THE FOLLOWING PAGES)

(MESSRS. FERLO, COHEN, WAGNER AND ONORATO'S COMMENTS)
(Bill No. 1812 - Wednesday, February 10, 1993)

Mr. Onorato:

Thank you, Mr. Chairman. I co-sponsored this bill with Mr. Ricciardi because -- not because it is just a good bill, it is the right thing to do. This city, everyone knows, has a large senior citizens population and they were the backbone of our community. With all the changes taking place in the city and the urban areas, we should help the individuals that have not left city, have been there for over ten years, 15 years, 20 years, even 40 years, in some cases. It is very important that we tell these individuals, the majority of which are on a fixed income, that, "Listen, we realize what is happening with the wage tax and with your real estate tax." Because the real estate tax is the one tax that the senior citizens cannot avoid, and they are on a fixed income, so while the revenues are staying the same, this back door tax or secret tax of the real estate keeps on going up. And everyone knows the appeal process is very difficult; I have sat through many appeal processes with seniors in my district. So I think it is the right thing to do mainly because we are telling the people that have a stake in the city and have chosen to stay here and stabilize these neighborhoods that you are going to receive a benefit for your commitment to the city, and it is a life-long commitment.

It is an excellent bill and I hope we pass it today.

Mr. Ferlo:

I am going to be voting for this bill. I appreciate all the hard work that went into it and a lot of the thought that went into it. I do have a couple questions to Director Hayllar. I think we should clarify that this bill affects the class of property owners uniformly through the city, with the stipulations that Mr. Ricciardi read. It is not particular to any zone or any neighborhood, regardless of this notion of one area possibly suffering from gentrification. Gentrification being oftentimes a residential area adjacent to a commercial area or area where there are large institutions where property values have increased over the years. People oftentimes think of the Mexican War Street, houses adjoining the Carson Street corridor, things of this sort. We should clarify that.

Obviously the motivation here on the part of Mr. Ricciardi and, certainly, Mr. Onorato and others is concern over elderly property owners, but it is much more inclusive; it is city-wide.

I support the bill. It is unfortunate -- I guess a shot back to the State Legislature -- it is still a poor substitute for meaningful reform for elderly property owners who I think at some point should be relieved of the property tax burden, especially as it relates to subsidizing a school system that they just no longer have any relationship to. So while

supporting this bill today, I am supporting it because something is better than nothing. It is still a long way from doing what we need to do in the Commonwealth, and that is provide an opportunity for elderly property owners who reach 55, 60 years old, to eliminate completely the property tax burden that they face, especially for city and school property tax.

My question to Dr. Hayllar is, at some point between now and final vote, if you could give us an indication as to the financial impact, and secondly, if I understand Mr. Ricciardi's bill, having just read it over last week, it is uniform throughout the city, but it does not include the School Board's portion of the property issue. Could you address those two points?

Mr. Hayllar:

This is not an assessment cap of 5 percent. This is an assessment cap protecting people who have been victims of gentrification; they have done nothing to their house to improve it, but because the neighborhood got trendy, suddenly their assessments go up. This happens from time to time, normally in small portions of the city. It is happening right now in South Side; because the Urban Redevelopment Authority built some new housing, people across the street are seeing their assessments go up dramatically. This protects them from the astronomical assessment increases, but it is not a wholesale cap. It should be understood that we are not proposing that. The cost is probably minimal, because the damage of a gentrification takes place over a period of time to probably a small number of people at any one time. If you use the county's figures, and they have had this program for two years, we estimate the cost to the city in lost real estate taxes would be less than \$50,000.00 a year and probably less than \$35,000.00 a year. So it is not a big hit. We can afford in this case to do the right thing. This is the right thing to do.

Mr. Ferlo:

Just so we get educated properly on this, how would, upon the passage of this legislation and at some point relative to the re-assessment procedure which the county does, we in the city have nothing to do with property tax re-assessment. What procedure would an individual property owner do, because I would like people to understand the impact?

Mr. Hayllar:

We will do everything we can to duplicate the county's application procedure, because people are familiar with that, it is on their assessment records, and we would use that same information to ascertain that they had no improvement on their house which would disqualify them, that the assessment was above

5 percent and there was some factor in their immediate neighborhood, extensive renovation, the sudden purchases of houses at much higher market values than had been there previously that would qualify them for gentrification. They would get a refund on the tax attributable above 5 percent of the assessed value of the house.

Mr. Ferlo:

Upon passage of this legislation, what is the Administration's policy relating to an appeal to the School Board elected members regarding the possibility of the future that they would take a similar action in this respect?

Mr. Hayllar:

I think that is a matter Council should be dealing with.

Mr. Ferlo:

Well, I think politically we would like the support of the Administration, as well as, obviously, Council upon passage of this bill. It is likely, I think Mr. Ricciardi will seek to have Council advocate to the School Board, but also I would like to see the Administration also, so that is both of us together. I don't know if Mr. Ricciardi wants to respond to that.

(Deleted text.)

Mr. Ferlo:

There is an election going on and maybe people would want to speak to this as a policy.

Mr. Hayllar:

The second point that you should be aware of, that the School District's real estate tax is now higher than hours.

Mr. Ferlo:

Two brief questions, one on the issue of notification. Is there anything we can do in the yearly notification process to property owners? I realize we missed the boat maybe at this point, but could we affirmatively communicate to them in the future tax notice mailings?

Mr. Hayllar:

It will be easier next year, because we will ask the Board of Assessment to notify the taxpayer when they get their assessment that we have this program, as do they. This year it

would be more difficult. But again, because of the nature of this topic, I don't expect a lack of applications.

Mr. Ferlo:

I understand that, but a lot of people don't watch Council or see a newspaper or TV. I want to be assured that you are committing yourselves now to notification, so come December when we are dealing with 50 others issues, we didn't lose the opportunity.

The last question I have, the one down side to this, if I understand the dynamics financially, is that in a way you could have a situation where you would have an individual property owner who ultimately at some point would benefit from the fact that there is gentrification. What is happening here is the point of which that person sells that property, in a way, all the rest of the class of property owners are burdened with the fact that that one property owner will benefit from these lower assessments over the years. So in a way it is creating a false --

Mr. Hayllar:

We will lose only the incremental difference for each year. If, for example, a property is a victim of gentrification and its assessment would have gone up 20 percent, this bill would increase the assessment 5 percent, but the following year it would probably go up another 5 percent and so forth. So while it would trail the market average of the neighborhood, it ultimately would catch up. So nobody is getting any free ride. We are, however, trying to reduce the shock of a sudden assessment increase because an older neighborhood has suddenly becomes trendy. This is a factor that will happen various places around the city.

Mr. Ferlo:

You are saying because there is a tri-annual, or whatever that phrase is --

Mr. Hayllar:

It is annual.

Mr. Ferlo:

-- annual review on assessment -- I thought it was every three years?

Mr. Hayllar:

No. That was struck down by law.

Mr. Ferlo:

It is an annual assessment?

Mr. Hayllar:

Theoretically it is annual.

(Deleted text.)

Mr. Onorato:

I feel they are trending back into the city. Mr. Ricciardi, I congratulate you.

Mr. Wagner:

Thank you, Mr. Chairman. I also compliment my two colleagues that sponsored this bill and I know others that have had input into the legislation. Obviously, the Administration supports it very much. It certainly rewards those who have made our neighborhoods stable and to a great degree many of those people are senior citizens, in terms of making sure this assessment does not leap frog at our wage percentages.

Director, whatever happened to the gentrification bill that was proposed approximately five years ago that directly gave relief to senior citizens?

Mr. Hayllar:

It never existed. There were statements made at that public hearing that this bill, Act 146, could encompass tax assessment relief and a cap for senior citizens. That was a gross distortion of what the law did or could do. That is one of the reasons it has taken so long to implement it, put pressure on a state act to do things that it just simply wasn't intending to do.

Mr. Wagner:

So really, nothing has ever happened at the state level in regard to that issue?

Mr. Hayllar:

Absolutely not.

Mr. Wagner:

Consequently, we are incapable of dealing with it locally?

Mr. Hayllar:

That is correct. Let me say that the tax reform effort that is now being presented by the Lieutenant Governor does deal with that in a holistic sense, in that it would require a reduction in real estate taxes if another tax source were imposed. So that, if passed, would reduce real estate taxes considerably in the city. That is real and that is alive.

Mr. Wagner:

It is very real and that would be across the board?

Mr. Hayllar:

Yes.

Mr. Wagner:

It would not have any direct positive impact on senior citizens?

Mr. Hayllar:

Not exclusively.

Mr. Cohen:

Thank you, Mr. Wagner. Let me just take a moment to commend Mr. Ricciardi for his initiative on this bill and to thank Director Hayllar, as well. Yesterday I had asked you to remove from the bill the part about having discretion in the hands of the Planning Department and even in your office on which areas of the city might be allowed to take advantage of this bill, and you were very cooperative, you agreed and took that out, so now it really does apply to all individuals in all neighborhoods. Nobody in city government has the ability to choose which neighborhoods or individuals that applies to. I appreciate that.

Mr. Hayllar:

As long as the person is victimized by gentrification, which is defined in the bill in the first section.

Mr. Cohen:

That's right. My understanding is if you have three houses and, say, Mrs. Smith lives in house two, and houses one and three refurbish their homes, so poor Mrs. Smith in the middle has her tax assessment increased, then she would be able to come in and take advantage of that cap. That is great.

Let me also clear up one potential misconception here for anybody listening, that the city does not increase assessments, that is, of course, the county's responsibility. I guess they have the right to do that on a yearly basis. But this is the county's power to re-assess. What we are trying to do is keep a cap on those assessments.

(End of remarks)

(Transcribed by Helen L. Kriebel)

Michelle Madoff:

I was not allowed to ask a second question at the Finance Meeting and I would like to say that what I would have asked at that time was when we had the swap and there was a \$1 million in what I consider overpayment to the City be senior citizens, we in Council at that time made a commitment to refund that money when this legislation was approved.

I want to ask the question, and I'd like Mike to send a letter to the powers that be, will that money be refunded to the seniors we promised it to? And that is a matter of record in the transcripts. We did not have the authority to give this money back and it was an unfortunate thing that the seniors on fixed incomes in their homes got zapped.

As I said, this legislation that I had outlined four years before Tom Foerster look at it. I sent it out to all the State Legislators. I'm delighted that someone has finally done something about it. But we made a commitment, we made a promise, and I'd like to know whether there's some kind of way we can keep our word at this point. It would be interesting to know that.

Mike, would you ask whether we can, indeed, now keep our word to the seniors with the passing of this legislation?

Mr. Onorato:

Mike, if you could send a copy of this bill, I would request that we send a copy of this bill to the

School Board and ask them to consider legislation very similar since they are a separate taxing body.

Mr. O'Connor:

I'd just like to add that I congratulate my colleagues for presenting it. I think it's a good idea to open the eyes of the School Board possibly to follow these guidelines.

But I also want to congratulate them because they fought hard to make it City-wide. It covers every neighborhood and I think it's very important for the public to know that.

Mr. Ferlo:

Mr. Wagner, I think on this bill, at least in the form that we're about to approve, Bill 1812, if the Clerk could please clarify the effective date of the ordinance which is left blank. Is it effective upon passage? Is it effective upon a communication to the County Commissioners?

Mr. Perry:

The effective date on this would be the day we receive it from the Mayor and record it.

Mr. Ferlo:

Okay, so it's just left blank procedurally. Thank you.

Michelle Madoff:

It hasn't been clarified how those most affected will be notified that they can take advantage of this issue so they
c a n

lower their debt to the community. Those who live in the community where taxes have gone through the roof. Has that been clarified?

Mr. Ferlo:

Director Hayllar at the Committee Session made the commitment that in future notices, on property tax notices that go to all residents, they will put an explanation about what the impact of this piece of legislation could be for a property owner. Obviously, we missed an opportunity in terms of this year's notification but I would hope that the Administration will keep their word about communicating at the end of the year with the annual tax form.

The Chair:

Is there any further discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes

Mr. Cohen	Mr. O'Connor
Mr. Ferlo	Mr. Onorato
Michelle Madoff	Mr. Wagner
	(Pres't)

AYES 6

NOES none

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Also,

Bill No. 1858

A Resolution entitled, 'Resolution providing for the issuance of a \$1,800.00 warrant in favor of Bell of Pennsylvania for property damage.'

Which was read.

Also,

Bill No. 1859

A Resolution entitled "Resolution providing for the issuance of a \$3,301.28 warrant in favor of American Rent A Ride in settlement for automobile damage.

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. O'Connor
Mr. Ferlo	Mr. Onorato
Michelle Madoff	Mr. Wagner
	(Pres't)

AYES 6

NOES none

And there being two-thirds of the votes of Council being in the affirmative, the bills passed finally.

Also,

Bill No. 1860

A Resolution entitled, "Resolution authorizing the Mayor and the City Solicitor to enter into an Agreement or Agreements for the

hiring of counsel to assist in the representation of the City of Pittsburgh for outside legal counsel at a cost not to exceed \$125,000.00 (One Hundred Twenty-Five Thousand Dollars) chargeable to and payable from Code Account 1075, Index Code 107508, Miscellaneous Services, Department of Law."

Which was read.

Also,

Bill No. 1861

A Resolution entitled, "Resolution providing for an Agreement or Agreements between the City of Pittsburgh alone and/or with The School District of Pittsburgh and/or with the County of Allegheny and the Real Estate Appraiser(S) and/or Consultant(S) for professional and consulting services in connection with the City's sale or acquisition of real estate and real estate tax assessment matters involving real estate in the City, and providing for the payment of the Cost thereof"

Which was read.

Also,

Bill No. 1862

A Resolution entitled, "Resolution authorizing and directing the City Controller to create a special trust fund, to be designated as the Pittsburgh Commission on Human Relations Trust Fund, for the deposit of funds derived from grants, donations, and monetary settlements of complaints of discrimination initiated by the Commission, and authority the use of such funds deposited therein for any and all expenses associated with Commission activities, supplies materials,

staff salaries and benefits, consultant fees, attorney fees, training and other appropriate expenses as so designated by the Pittsburgh Commission on Human Relations:

Which was read.

Also,

Bill No. 1863

A Resolution entitled, "Resolution providing for new and/or existing Agreement(s) and/or Contract(s) for the provision of training and/or development services to City employees related to the use of Personal Computers and Personal Computer software packages and providing for the payment of costs thereof."

Which was read

Also,

Bill No. 1864

A Resolution entitled, "Resolution providing for new and/or existing Agreement(s) and/or Contract(s) for the provision of analysis, design, development, programming, and/or training services in conjunction with the feasibility, development, enhancement or implementation of automated systems for various City Departments and providing for the payment of the costs thereof."

Which was read.

Also

Bill No. 1865

A Resolution entitled, "Resolution providing for Conveyance by the City of Pittsburgh of certain property, under Act No. 171 of 1984, entitled, "Second Class City

Treasurer Sale and Collection Act', effective December 11, 1984." (AS AMENDED IN COMMITTEE)

Which was read.

Also,

Bill No. 1866

A Resolution entitle, "Resolution providing for the filing of a petition or petitions for the sale of certain property or properties, acquired at tax sales in accordance with Act No. 171 of 1984, Second Class City Treasurer Sale and Collection Act', effective December 11, 1984".

Which was read

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. O'Connor
Mr. Ferlo	Mr. Onorato
Michelle Madoff	Mr. Wagner
	(Pres't)

Ayes 6 Noes none

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Also,

Bill No. 1875

A Resolution entitled, "Resolution providing for the issuance of a warrant in favor of Allison Park Contractors in the amount of \$60,177.89 for construction of a

retaining wall for Ledgedale Street; and providing for the payment thereof."

Which was read.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law and were:

Ayes:

Mr. Cohen	Mr. Onorato
Michelle Madoff	Mr. Wagner
Mr. O'Connor	(Pres't)

AYES 5 NOES none

(MR. FERLO ABSTAINING)

And there not being two-thirds of the votes of Council in the affirmative, the bill was tabled.

Also,

Bill No 1921

A Resolution entitled, "Resolution providing for the issuance of a warrant in favor of Christopher D. Plumtree, 601 Garden City Drive, Monroeville, PA 15146, in the amount of \$750.00 in payment for professional services rendered to Councilman Jim Ferlo for the month of February, 1993."

---(SPONSORED BY MR. FERLO)

Which was read.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law and were:

Ayes:

Mr. Cohen	Mr. O'Connor
MR. Ferlo	Mr. Onorato
Michelle Madoff	Mr. Wagner
	(Pres't)

AYES 6 NOES none

And there being two-thirds of the votes of Council in the affirmative, the bill passed finally.

Also,

Bill No. 1922

A Resolution entitled, "Resolution transferring the amount of \$1,000.00 from Code Account 1001-2, Salaries & Wages, As Needed, to Code Account 1838, Miscellaneous Services, Department of Parks and Recreation."

---(SPONSORED BY MR. FERLO)

Which was read.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law and were:

Ayes:

Mr. Cohen	Mr. O'Connor
Mr. Ferlo	Mr. Onorato
Michelle Madoff	Mr. Wagner
	(Pres't)

AYES 6 NOES none

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Mr. O'Connor presented

Bill No. 1991

Report of the Committee on General Services for February 10, 1993 transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 1871

A Resolution entitled, "Resolution providing for the letting of a Contract or Contracts or for the use of an existing Contract or Contracts for the furnishing and delivery of motorized fire equipment and for the refurbishing of existing motorized fire equipment for the Department of General Services, and providing for the payment thereof."

Which was read.

Also,

Bill No. 1872

A Resolution entitled, "Resolution providing for a Contract or the use of existing Contracts to purchase Load-O-Meter Scales for the Bureau of Police and providing for the payment thereof."

Which was read.

Also,

bill No. 1873

A Resolution entitled, "Resolution providing for a Contract or the use of existing Contracts to purchase Riot Helmets for the Bureau of Police and providing for the payment thereof."

Which was read.

Also,

Bill No. 1874

A Resolution entitled, "Resolution providing for a Contract or the use of existing Contracts to purchase Cycle Helmets for the Bureau of Police and providing for the payment thereof."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law and were:

Mr. Cohen	Mr. O'Connor
Mr. Ferlo	Mr. Onorato
Michelle Madoff	Mr. Wagner
	(Pres't)

AYES 6 NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Mr. O'Connor presented

Bill No. 1992

Report of the Committee on Parks and Recreation for February 10, 1993 transmitting one resolution to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 1923

A Resolution entitled, "Resolution providing for an Agreement or Agreements with the Brookline Businessmen's Little League for the benefit of the residents of the City of Pittsburgh, at a cost not to exceed \$1,000.00, chargeable to and payable from Code Account 1838, Miscellaneous Services, Department of Parks and Recreation."

---(SPONSORED BY MR. FERLO)

Which was read.

The Chair:

I would like my comments brought forward on that bill.

(REMARKS ON FOLLOWING PAGE)

(MR. WAGNER'S COMMENTS ON BILL NO. 1923 - Wednesday, 2/10/93)

Mr. Wagner:

I would like to say, obviously, I am glad several Council members have a concern for this situation in my district. I have been at a number of meetings and in contact with the president of the little league. I personally have made a \$500.00 personal contribution to the little league, and I am working on, in cooperation with the Mayor who is very concerned about the situation also, on a private donation of \$2,500.00.

In addition to that, obviously this situation became public after we passed our budget, and obviously under the grants and donation area, if we would have known prior to that, certainly some dollars could have been allocated towards this organization in need. The potential exists and I am working, trying to determine if some dollars from another group could be re-directed to this group and hopefully fund that group at a later time this year or even going into 1994. I know Mr. O'Connor has also been involved and has contacted some people as the Parks and Recreation Chairman.

The situation in Brookline is this: Potentially, \$50,000.00 has been lost by this organization due to poor leadership within the organization. The potential exists to recoup the money or to recoup it in part. That is not a certainty. And the important thing right now for the Brookline community, which truly has focused well on this situation and has really organized to make sure that the little league continues to function and to serve the children, their concern is to get this league up and operating in the latter part of March and early April to make sure that as far as the children are concerned, nothing has changed. Consequently, the community really has reacted very positively to a negative situation.

I am very proud of the Brookline community, what they have done, and the literally hundreds of parents and people that are simply concerned. They have also received donations from people that previously lived in the community, people that have moved on in life and have been part of the little league and have been successful financially.

So I appreciate any concern by anyone on Council to be of help to this organization.

(End of remarks.)

(Transcribed by Helen L. Kriebel, Stenotype Reporter)

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. O'Connor
Mr. Ferlo	Mr. Onorato
Michelle Madoff	Mr. Wagner
	(Pres't)

AYES 6

NOES none

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Mr. Ricciardi presented

Bill No. 1993

Report of the Committee on Engineering and Construction for February 10, 1993 transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 1876

A Resolution entitled, "Resolution providing for a Contract or Contracts, or use of existing Contracts, for the Rehabilitation of the Wilksboro Avenue Footbridge; and providing for the payment of the costs thereof."

Which was read.

Also,

Bill No. 1877

A Resolution entitled, "Resolution providing for an Agreement or Agreements, or use of existing Agreements, and/or a Contract or Contracts, or use of existing Contracts and providing for the purchase of equipment and materials in connection with Various Swimming Pool Design and Rehabilitation; and providing for the payment of the costs thereof."

Which was read.

Also,

Bill No 1878

A Resolution entitled, "Resolution providing for a Contract or Contracts, or use of existing Contracts, and providing for the Purchase of Materials and Equipment in connection with Lighting and Electrical Repairs at Various Locations; and providing for the payment of the cost thereof."

Which was read.

Also,

Bill No. 1879

A Resolution entitled, "Resolution providing for a Contract or Contracts, or use of existing Contracts in connection with the Various Renovations of Public Buildings; and providing for the purchase of equipment and materials for said projects; and providing for the payment of the cost thereof."

Which was read.

Also,

Bill No. 1880

A Resolution entitled, "Resolution providing for a Contract or Contracts, or use of existing Contracts, for the Rehabilitation of Public Safety Facilities; and providing for the payment of the costs thereof."

Which was read.

Also,

Bill No. 1881

A Resolution entitled, "Resolution providing for a Contract or Contracts, or use of existing Contracts, for the Rehabilitation of Roofs of Various Buildings; and providing for the payment of the cost thereof."

Which was read.

Also,

Bill No. 1882

A Resolution entitled, "Resolution providing for a Contract or Contracts, or use of existing Contracts, for Miscellaneous Restoration of Various Water and Sewer Authority projects; and providing for the payment of the cost thereof."

Which was read.

Also,

Bill No. 1883

A Resolution entitled, "Resolution providing for a Contract or Contracts, or use of existing Contracts, for the Installation of Traffic Signal Equipment at Various Intersections; and providing for the payment of the cost thereof."

Which was read.

Mr. Cohen:

I'd like my comments brought forward on Bill 1883.

(REMARKS ON FOLLOWING PAGE)

(MR. COHEN'S COMMENTS ON BILL NO. 1883 - Wednesday, 2/10/93)

Mr. Cohen:

I have one question; you probably can guess what it is.

What is the status of our emergency signal program, where if an emergency vehicle needs to go through an intersection in pursuit of an emergency, that the traffic signal would turn from red to green in order to ensure safe passage? "Opticon" is the word that we have been using, but I think that is actually a trade name. Can you tell me what the status is?

Mr. Sciulli:

We basically have gone through the process and it is one of the projects that is involved, as you know, in federal and state funding. Now, on Thursday there will be discussion before PennDOT for the 12 year plan and where these transportation projects stand. One of them is the CTRTCS that you are talking about.

We are set, our consultant is moving on it, we have had some discussion with the Federal Highway Administration about whether certain contractors -- we are going to limit contractors with their ability to do the work. So we are waiting for a response on that. But the portion of the work, the scope of work that you are defining is part of the contract. So once it is released, it will be part of it in terms of going through the prototype study.

Mr. Cohen:

Experimental or prototype -- I shouldn't say "experimental," because it has been used effectively in other cities. But a prototype starting in the Central Business District here?

Mr. Sciulli:

Yes. It is not a question on our part of not including, it is a question of getting the project released.

Mr. Cohen:

Getting the money?

Mr. Sciulli:

Yes.

(End of remarks.)

(Transcribed by Helen L. Kriebel, Stenotype Reporter)

Also,

BILL NO. 1884

A Resolution entitled, "Resolution providing for an Agreement or Agreements, or use of existing Agreements, and/or a Contract or Contracts, or use of existing Contracts, and providing for the purchase of equipment and materials in connection with Major Court Renovations; and providing for the payment of the costs thereof."

Which was read.

Also,

Bill No. 1885

A Resolution entitled, "Resolution providing for an Agreement or Agreements, or use of existing Agreements, and/or a Contract or Contracts, or use of existing Contracts, and providing for the purchase of equipment and materials in connection with the Rehabilitation of Existing Play Areas; and providing for the payment of the costs thereof."

Which was read.

Also,

Bill No. 1886

A Resolution entitled, "Resolution providing for a Contract or Contracts, or use of existing Contracts, and for the purchase of equipment and materials in connection with the Safety Code Compliance Program; and providing for the payment of the costs thereof."

Which was read.

Also,

Bill No. 1887

A Resolution entitled, "Resolution providing for an Agreement or Agreements, or use of existing Agreements, and/or Contract or Contracts, or use of existing Contracts, and for the purchase of equipment and materials in connection with the Asbestos and Lead Testing/Abatement Program; and providing for the payment of the costs thereof."

Which was read.

Mr. Cohen:

On Bill 1887 regarding the Asbestos and Lead Testing/Abatement Program, I had asked Brother Richard for a memo describing the program, the amount that they're going to spend, particularly on the lead testing and abatement side. We haven't received that memo.

I think we should go ahead with this bill, but if we could send a letter to Brother Richard reminding him of that request, I would appreciate it.

Mr. Ferlo:

On Bill 1887 that Mr. Cohen spoke about, I hope that the Administration will maintain their commitment to actually abate the asbestos that's present within the City County Building basement. And Director Sciulli made the commitment the the greater portion of these \$357,000.00 would be spent on actual removal and abatement. I hope we're not spending a lot of money on high-class consultants. We

obviously know there's a problem certainly in the basement of this building, and we need to dedicate the appropriate amount of money from the Capital Bond Fund to do that work.

And I hope that in voting for this bill today, we're going to specifically target a priority hot spot, and that is the basement of the City County Building.

Also,

Bill No. 1888

A Resolution entitled, "Resolution providing for an Agreement or Agreements, or use of existing Agreements with Consultant or Consultants, for Architectural/Engineering Services in connection with Various City Projects; and providing for the payment of the cost thereof."

Which was read.

Also,

Bill No. 1889

A Resolution entitled, "Resolution providing for an Agreement or Agreements, or use of existing Agreements, with Consultant or Consultants, for Construction Inspection Services for Various City Projects; and providing for the payment of the cost thereof."

Which was read.

Also,

Bill No. 1890

A Resolution entitled, "Resolution providing for a Contract or Contracts, or use of existing Contracts, for Rehabilitation of

Various Landscape and Trufed Areas; and providing for the payment of the cost thereof."

Which was read

Also,

Bill No. 1891

A Resolution entitled, "Resolution providing for an Agreement or Agreements, or use of existing Agreements, and/or Contract or Contracts, or use of existing Contracts, and providing for the purchase of equipment and materials, in connection with Ballfield Relighting at Various Locations; and providing for the payment of the costs thereof."

Which was read.

Also,

Bill No. 1892

A Resolution entitled, "Resolution providing for an Agreement or Agreements, or use of existing Agreements, and/or Contract or Contracts, or use of existing Contracts, and providing for the purchase of equipment and materials in connection with the Overlook Improvements; and providing for the payment of the costs thereof."

Which was read.

Also,

Bill No. 1893

A Resolution entitled, "Resolution providing for an Agreement or Agreements with the Commonwealth of Pennsylvania, Department of Transportation, to acquire various

computer software at no cost to the City of Pittsburgh."

Which was read.

Also,

Bill No. 1894

A Resolution entitled, "Resolution providing for a Contract or Contracts, or use of existing Contracts, for Street Tree Planting at Various Locations; and providing for the payment of the cost thereof."

Which was read.

Also,

Bill No. 1895

A Resolution entitled, "Resolution amending Resolution No. 1348, effective January 1, 1993 entitled 'Adopting and Approving the 1993 Capital Budget and the 1993 Community Development Block Grant Program; and approving the 1993 through 1998 Capital Improvement Program,' by increasing EC93-569 (Miscellaneous Infrastructure Improvement) by \$50,000.00 from \$50,000.00 to \$100,000.00."

Which was read.

Also,

Bill No. 1896

A Resolution entitled, "Resolution providing for a contract or Contracts, or use of existing Contracts, for concrete Step Construction or Reconstruction at various locations within the City of Pittsburgh; and providing for the payment of the costs thereof."

Which was read.

Also,

Bill No. 1897

A Resolution entitled, "Resolution providing for a contract or Contracts, or use of existing Contracts, for Preventive Maintenance on Various Bridges, including Pennsylvania Avenue Bridge (Council District #6), Elizabeth Street Bridge (Council District #5), Forbes Avenue Bridge (Council District #5), Herron Avenue Bridge (Council District #7), and Murry Avenue Bridge (Council District #5), and others as identified through inspections; and providing for the payment of the cost thereof."

Which was read.

Also,

Bill No. 1898

A Resolution entitled, "Resolution providing for a Contract or Contracts, or use of existing Contracts, for the Renovation and Repair of Ornamental Fences at various locations within the City of Pittsburgh; and providing for the payment of the costs thereof."

Which was read.

Also,

Bill No. 1899

A Resolution entitled, "Resolution providing for an Agreement or Agreements, or use of existing Agreements, and/or a Contract or Contracts, or use of existing Contracts in connection with Major Renovations of Recreation Centers

and Senior Citizen Centers and providing for the purchase of equipment and materials for said Centers; and providing for the payment of the costs thereof."

Which was read.

Also,

Bill No. 1900

A Resolution entitled, "Resolution amending Resolution No. 401, effective April 21, 1992, entitled 'Providing for an Agreement or Agreements, or use of existing Agreements, with a Consultant or Consultants, for Structural Engineering Services as needed; and providing for the payment of the costs thereof,' by increasing the total project allocation by \$100,000.00 from \$50,000.00 to \$150,000.00."

Which was read.

Also,

Bill No. 1901

A Resolution entitled, "Resolution providing for a Contract or Contracts, or use of existing Contracts, and providing for the purchase of equipment and materials in connection with Major Repairs and Emergencies to Park Facilities; and providing for the payment of the costs thereof."

Which was read.

Also,

Bill No. 1902

A Resolution entitled, "Resolution providing for a Contract or Contract, or use of existing Contracts, in connection with the Grant Street Maintenance Program; and providing for the payment of

the costs thereof."

Which was read.

Also,

Bill No. 1903

A Resolution entitled, "Resolution Repealing Resolution No. 399, effective April 21, 1992, entitled 'Providing for an Agreement or Agreements, or use of existing Agreements with a consultant or Consultants, in connection with the NBIS Update Bridge Inspection of the Fort Pitt Boulevard Eastbound Bridge; providing for a Reimbursement Agreement or Agreements with the Commonwealth of Pennsylvania, Department of Transportation; and providing for the payment of the costs thereof."

Which was read.

Also,

Bill No. 1904

A Resolution entitled, "Resolution Repealing Resolution No. 400, effective April 21, 1992, entitled 'Providing for an Agreement or Agreements, or use of existing Agreements with a Consultant or Consultants, in connection with the NBIS Update Bridge Inspection of the Schenley Park Bridges over Boundary street and Panther Hollow; providing for a Reimbursement Agreement or Agreements with the Commonwealth of Pennsylvania, Department of Transportation; and providing for the payment of the costs thereof."

Which was read.

The Chair:

I'd like my remarks brought forward on Bill 1904.

(REMARKS ON FOLLOWING PAGE)

(MR. WAGNER'S COMMENTS ON BILL NO. 1904 - Wednesday, 2/10/93)

Mr. Wagner:

Director, would you care to simply explain what you had in that memo, because I think it is important in regard to these bridges.

Mr. Sciulli:

We obviously are concerned about preserving the bridges as they stand; they are jewels in the city and assets to all of us. What we did basically is we spent almost I think half a million dollars preserving that. We had meetings, first of all, with the historic groups prior to Preservation Pittsburgh and we have taken steps to preserve the masonry work, the stone work, the entrances to and from the bridges. I think one of the concerns was about fencing. Some of those are more difficult to deal with in terms of the fencing. When the bridges were built in 1902 and we had horse and carriages using them, it is quite a bit different than what they are being used for now. Certain things happen that we need to provide for.

I think we have taken some very, very big steps at some significant dollar amounts to do everything we can to preserve the integrity of these bridges. We are satisfied at this time that we have done that.

Mr. Wagner:

Would you please elaborate on the need from a liability exposure to put up the appropriate kind of fencing on the exterior portion of the walkway, and also the concrete barriers, and just please elaborate on what you told me.

Mr. Sciulli:

Some of them are safety standards that are required by the feds, and if we don't put them in, then the federal government will say, "We are not giving you the money for it." So basically we have to go along with their safety requirements.

In terms of the fencing, as you know, there are parking lots directly below the Schenley Park Bridge and Boundary Street, private owners, which Pitt students and other local colleges park there. And there is a tendency for some vandalism, people throwing objects over the bridge, and it basically puts the city at a liability here. So by having a fence that is not necessarily intrusive but kind of will deflect someone trying to basically do some things we don't want them to do, sort of a compromise.

Also,

Bill No. 1905

A Resolution entitled, "Resolution Repealing Resolution No. 1151, effective December 22, 1986, entitled "Providing for an Agreement or Agreements with a Consultants for Engineering Services in connection with the In-Depth Inspection of the Meadow Street Bridge; providing for a Reimbursement Agreement or Agreements with the Commonwealth of Pennsylvania, Department of Transportation; and providing for the payment of the costs thereof."

Which was read.

Also,

Bill No. 1906

A Resolution entitled, "Resolution Repealing Resolution No. 686, effective August 29, 1988, entitled "Providing for an Agreement or Agreements with a Consultant or Consultants for the In-Depth Inspection of the Corliss Tunnel; and providing for the payment of the cost thereof."

Which was read.

Also,

Bill No. 1907

A Resolution entitled, "Resolution adopting Official Sewage Facilities Plan for the Wiggins Street Homes."

Which was read.

Mr. Ferlo:

On several of these bills, Mr. Wagner, the approval on final vote today on many of these bills out

of Engineering and Constriction will literally move ahead several hundred projects of repair, renovations, upgrading of not only public facilities and buildings in our parks system.

I do want to specifically thank Director Sciulli in Engineering and Construction, as well as Parks and Rec staff. After many years of battling with the support of this Council unanimously for repair and upgrading of the ornamental fencing around the City, thanks to Director Sciulli we are finally moving off of dead center of that project. And a lot of very good work is going on around the City in relation to ornamental fence. I'm sure many of you have noticed the work along the Bigelow Boulevard corridor as you come into Town.

I want to thank him for that and also the Parks' staff and the engineers and architects within the E and C Bureau. I found them to be very cooperative with the community, specifically under commitments they've made with repairs and renovations to the 57th Street Little League Field in the 10th Ward, as well as the repairs that will be a major change to Arsenal Park. They've made a commitment not only in terms of working with the community on the design, and there's been a lot of input from the community. They also have made a commitment in terms of construction scheduling, so that we're not interfering in major July 4th celebrations at Arsenal Park and we're also not interfering with the major Little League summer activity on 57th Street Little League Field. So I just want to thank them very much.

The Chair:

Is there any further discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably and were:

Aye

Mr. Cohen	Mr. O'Connor
Mr. Ferlo	Mr. Onorato
Michelle Madoff	Mr. Wagner
	(Pres't)

AYES 6

NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

MOTIONS AND RESOLUTIONS

Mr. Cohen:

I just want to remind people that directly following this meeting we are going to have a post agenda meeting on childhood lead poison prevention and we're going to have three very important speakers here today, including Dr. Herb Needleman, who is a leading expert on the subject; Dr. Mark Richards, the Medical Director of the Jewish Health Care Foundation and former Secretary of Health for the Commonwealth of Pennsylvania; and Jim Rooney who is City Council's Administrator of the Childhood Lead Poisoning Prevention Committee, and I encourage everybody to attend.

Mr. Ferlo:

Very briefly, Mr. Wagner. In relation to March 18th, there was a public hearing set for the billboard legislation which I

submitted many, many months ago. A lot has happened since then. We have not only my legislation, but the staff of the Planning Commission and Commission Members have proposed amendments and additions to my pieces of legislation. As well, the industry itself has moved to recommend several changes.

All of that is being thrashed out in the Planning Commission today, as well as a second round of public hearings in about two and a half weeks.

The request to you is that we reschedule to March 18th for maybe the first week in April or whatever it's appropriate so that we give the Planning Commission enough time to come back with a final report and recommendation. So I'd like to ask that.

Secondly, just a quick notification. Councilman Darkins and I attended a Zone 5 Public Safety Council Meeting last week. Unfortunately, Commander Woodrow, as many of you know, is away at the FBI Training Academy. He was not able to be at the meeting. The meeting did focus a lot on the issue of community oriented policing and the whole program, if it's real or if it's not real, about foot patrol in terms of assignment in various areas.

Needless to say, without the appropriate people there at the regularly scheduled meeting, it was a hot and heavy meeting. So, Councilman Darkins and I have rescheduled the meeting with the support of the Public Safety Zone 5 Council leadership as well as Director DiNardo and Chief Bufford, and that meeting will take place this Thursday evening at 7:00, Zone 5 Police Station. It will be specifically focusing

in on what's fact and fiction in relation to the commitment by this Administration to foot patrol and what is fact and fiction in relation to community oriented policing. I certainly have had some criticisms about the Department. We hopefully will begin to thrash some of these concerns out with the community leaders Thursday night, 7:00 at Zone 5 Police Station. Thank you.

Michelle Madoff

I'm sure that the immediate world has seen the story in today's paper, "City Build and Council Coup," "Mayor Refuses to Pay Consultant Who Guided Plot."

In the body of the letter it says, "Each Councilmember decided how to spend a yearly appropriation for staff and the Members are restricted by City and State law that generally prohibit use of public funds or public time for politicking."

I'm not going to take the time to read the article; I'm sure most people have read it or will read it. But I would like to point out that I am being chastised because there is a question of did I, indeed, use my consultant not only for issues in my office out of my stipend, but for political reasons.

Well, indeed, I did use them for political reasons on an issue last year, and guess what? I paid them out of my political fund. And guess what? I reported it out of my political fund.

I would like to see that kind of separation and honesty amongst the Administration and any other politician in office, so I'm being chastised for doing, or pointed to

for doing, the right thing.

If we look through the article, for example, there is a comment that Jake Millions had spent \$44,000.00 for consultants. You better believe he did. I advised him to go out and hire somebody, since his expertise was as a psychologist, to help him in the financial issues.

I think it's really unfortunate the public perception is obviously formed by headlines. People don't always read the whole story.

But I think the bigger issue here is two items. One is what about the millions over the years, the hundreds of thousands every year that the Administration spends on consultants, but it's really not talked about here? Studies and consulting work that is done, ongoing, that this Council has questioned all the time. And it doesn't come out of a stipend allocated to a staffing, as we have restrictions on our dollars.

But the thing that really set me off, you know, I take the heat for whatever I do. But I'm not afraid to speak out, nor do I hide anything under the rug.

The issue here, "The City Build and Council Coup" and that, indeed, this was that the taxpayers have been billed for these services is absolutely erroneous and I will prove it unequivocally.

I asked the same reporter, Mr. Bull, who he felt would be the most damaged and what would be hurt by the five of us in this effort and attempt to unseat the President of Council. He said, "Mr. Onorato." I said, "Wrong.

The person who would be the most damaged would be me." He said, "Why is that?" And I said, "Because the President's brother is the Chairman of the 19th Ward Committee, which is in my district."

So how could anybody say this is political? Why would I deliberately set out to cut my own throat?

The issue is very simple. The advisor to us on the issue of deposing the President of Council was because we felt, and still do, that on the major issues consulting the public and the Council, the President of Council does not represent us. The President of Council is not chosen by the public; he's elected by this body. Indeed, we made a tactical error. We didn't come in and say, "Mr. President, the majority of Council is unhappy about --," and listing our litany of complaints as not being a leader who represents our concerns, and certainly has not stood up to the Administration.

We have the right to change our President. And we have behaved in any exemplary manner. We have not brought the business of the City to a halt. We've let it go on as it is. And the courts will decide, I believe, sometime in March.

Again, if my paying a political advisor to help me get unelected, I don't think that makes too much sense and I thought I'd set the record straight.

The Chair:

I would like to respond to that, because I am sure it was directed towards me again.

I simply want to state that the attempted political coup in Council, Councilwoman Madoff, to let you know precisely, did not hurt you and did not hurt Jack Wagner. It hurt the City of Pittsburgh and it hurt the people of this City. I've said it before and I'll say it again: I will continue to stand up for the people of this City even if everyone on Council is against me, including yourself.

The article in today's paper I thought was one of the more accurate articles in regards to this whole situation since it happened. And it's about time that the truth has been written, and I'm very pleased to see that.

But again, let me state. The people that have been hurt are not you and are not me. As far as I am concerned, politics entered this Chamber and the people of Pittsburgh were hurt. And I will continue to stand up for the people of Pittsburgh on that issue and other issues.

Michelle Madoff:

I think that needs a response. The public can judge for themselves. I was part of a coup to unseat the President of Council and the reasons will become very public as the decision is made. Somewhere along the line, some reporters may decide to not just report "The woman killed her husband" and forget to say that he was knifing the children and setting fire to her hair, and maybe it appears in the last paragraph. All that has been reported in the printed media was what we did, but not the reasons. That is very, very unfortunate. During the campaigns this will all come out as to the whys and wherefores and why many of us,

most of this Council, is not supporting you, Mr. President.

But that's not the issue here. Does anybody believe for one moment that if Jack Wagner's brother, Pete Wagner, is Chairman of the 19th Ward in my district that I will not be damaged politically? Wrong. So why would I have a consultant work on that issue?

Mr. Cohen:

Mr. President, Point of Order.

Michelle Madoff:

I'm responding to Mr. Wagner. I've said all I have to say. Done.

Mr. Cohen:

Mr. President, I do not see any productive purpose for bringing up this subject again. I really don't. We have a lot of experts here waiting here to talk about a serious issue facing the City: childhood lead poisoning. And for us to bring up this issue again is totally counterproductive.

Michelle Madoff:

Are you against the people's right to speak?

The Chair:

Mr. Cohen, I accept your point of order, I believe it's very valid. But, as everyone knows, if a Councilmember here is going to accuse another Councilmember of anything, it's only appropriate that that Councilmember respond. And I will continue to respond to Councilwoman Madoff or anyone else in regard to that issue.

Mr. Onorato:

On some of the comments coming from my colleague, Councilman Cohen, I don't think it's very productive at this point to start using names here. I've heard about four or five of our names mentioned. The issue is going in its own direction for several reasons. I don't think it is fair to give the impression that this Council has voted to move it forward. Individuals can do what they want legally and let's leave it at that. Discussion should stop in this Chamber, as far as I'm concerned.

Mr. O'Connor:

Just in response to the consultants which is in the news now.

Mr. Onorato and I met with the Mayor last week and we encouraged her, and I think maybe Councilman Cohen should get involved, with setting guidelines so that everyone knows to be on the same playing field with these consultants and where the money is spent and how it's spent. I'm not questioning what's been done in the past, but I think we should move on to the future and look and see where this money is spent and how it's done.

For the record, I just wanted to make it clear, out of my office we saved \$7,000.00. We gave it back into the General Fund. Just because there's a budget doesn't mean we have to spend it. I think that should go for all departments. But I'm also encouraging people that the money is there if it's needed and it should be spent for the benefit of the citizens, and I'm not questioning what some of the Councilmembers have done, but I

think we should have some guidelines set so that we don't have this brought up again in public. We have enough problems with the media and the public in the last two or three weeks, and I would just encourage this and I'd like to see the hard work continue.

Mr. Ferlo:

Mr. President, I resent the notion that somehow there's a disagreement in the house on this notion of the Presidency. All of us are working hard. All of us work hard on a variety of issues despite the likes of articles like Mr. Bull's.

I'm very proud of my staff and anybody who works in my office; they do a hell of a job and they work a lot harder than the editorial board, the cartoonist, or Mr. Bull as a reporter.

If there is any violation, or if anybody suspects that there's a violation of anything, we have a very strong Ethics Code in this City, as well as state law. And if Dr. Hayllar or Sophie Masloff or any member of Council or anybody in the public has a concern regarding any ethical behavior on the part of an elected official, I would ask that they file the appropriate action. The implication or the implied notion here is that something has been used wrong. I don't care if it's postage stamps or staff or whatever the arrangement is, then that person has an obligation to come forward and issue the appropriate charge to the appropriate body. And I would hope that they would be reminded of that.

If there are additional measures that this Council would

like to formulate regarding staff arrangements and things of this sort, I would call upon any Councilmember or the Administration who has the ability to forward to this Council any recommendation. I will certainly support that legislation. I made mention of that to Budget Officer Turner yesterday, But this halubaloo and this McCarthy-ite commentary that's been going on for the last couple weeks is ridiculous. If there are specific actions, then people have an obligation to come forward and issue some charge.

And as far as this repeated notion of a coup, a coup is something undemocratic. There was action taken, good, bad or indifferent, regardless of how people feel about it, by a majority of Councilmembers, and I just want to leave that as it is.

The Chair:

The whole issue of what has happened in the last few weeks was initiated by this body, and I want to make that perfectly clear. And that's what makes it so difficult.

The whole issue of salaries, as discussed by Councilman O'Connor, this Council has a double standard, and that has to be addressed. If in some way we are utilizing Council salary dollars not for people that live within the City of Pittsburgh, and that has happened. My office has not done that. But clearly, we are the only department in City government that has done that for salary dollars as budgeted in the budget. And that issue has to be dealt with and it has to be brought front and center in this Council, whether it's through legislation or it's some other exception or line items have to be

changed, but clearly that's an issue. That issue has been brought out today, publicly, and that issue has to be dealt with.

Mr. Ferlo:

Quickly, to respond, I don't disagree with anything you said. But I would consider the allocation of public dollars for those proposed, if that was the case, to be inappropriate and those allocations of dollars should not be supported by this Council. And it's incumbent upon the Mayor, the Administrator, Dr. Hayllar, Jim Turner, a Member of this Council or anybody in the public to issue the appropriate charge. That's independent from this scare that's been brought up.

And as far as making further amendments or changes relative to the City Code or Personnel or hiring, that's certainly something that Councilmembers should come forward and make recommendations. And I will certainly support that. So there's no argument here.

The Chair:

Absolutely.

Michelle Madoff moved to approve the Minutes of Wednesday, January 20, 1993.

Mr. Onorato seconded the motion.

Which motion prevailed.

And on the motion of Mr. Onorato

Council adjourned.

MUNICIPAL RECORD

Proceedings of the Council of the City of Pittsburgh

VOL. CXXVII

Tuesday, February 23, 1993

No. 8

Municipal Record

ONE-HUNDRED TWENTY-SEVENTH COUNCIL

JACK WAGNER President
MICHAEL PERRY City Clerk
LINDA M. JOHNSON-WASLER Asst. City Clerk

Pittsburgh, PA
Tuesday, February 23, 1993

PRESENT:

MR. COHEN	MR. O'CONNOR
MR. DARKINS	MR. ONORATO
MR. FERLO	MR. RICCIARDI
MICHELLE MADOFF	MR. WAGNER
	(Pres't)

The Meeting was opened by the recitation of the Pledge of Allegiance to the Flag of the United States of America, and a moment of silent prayer for peace throughout the world.

I pledge allegiance to the Flag of the United States of America and to the Republic for which it stands, one Nation, under God, indivisible, with liberty and justice for all.

PRESENTATIONS

Mr. Darkins:

Mr. President and my colleagues on Council, the month of February is Black History Month all over the world. It has been brought to our attention of an upcoming event that will be transpiring and for this cause we've been doing series throughout the month and I ask of your indulgence today. I know what the protocol is that is asked of Council in regards to resolutions, but I would ask for my colleagues on Council to understand where I'm coming from because this is Black History Month. Thank you.

Mr. Darkins presents

No. 2030 WHEREAS, on March 20, 1993 Renaissance Too Magazine honors ten African Americans for their contributions and dedication to the African American community; and

WHEREAS, George E. Barbour, a reporter, photo journalist and radio talk show host, was KDKA Radio's first African American reporter and holds three Golden Quill Awards. He also established the Cannonsburg NAACP; and

WHEREAS, Virginia Carter Lewis taught music in the Pittsburgh Public Schools system for 31 years, is Musical Director/Organist at Warren United Methodist Church and Director of the world renowned Sounds of Heritage; and

WHEREAS, Dr. James Kelly, Jr. is the first African American Dean at the University of Pittsburgh's School of Education and also the first to receive the title of Distinguished Service Professor, paving the way for many African Americans to pursue higher education; and

WHEREAS, George M. Calloway, a past Most Worshipful Grand Master and Sovereign Grand Inspector General, committed 37 years to keeping alive the Masonic Doctrines and standards of Prince Hall Grand Lodge; and

WHEREAS, Lillian W. Burke, a native of Duquesne, Pennsylvania, is the first African American woman appointed as Judge in Cleveland, Ohio's Municipal Courts; and

WHEREAS, Louis E. Waller, a successful entrepreneur, serves on many prestigious boards in Washington County and is past President of the State and Washington County NAACP; and

WHEREAS, Marion Bryant, a determined African American woman, owned and operated Bryant Business Service, leading the way for women to pursue business ownership; and

WHEREAS, Reverend James Nelson, Pastor at Zion Baptist Church in McKeesport, marched with Dr. Martin Luther King, Jr. and is the longest minister to serve at one church; and

WHEREAS, Dr. John C. Hairston, Jr. has provided medical care to his community for over 38 years and is also one of Alma Illery Medical Center's founding fathers; and

WHEREAS, Evelyn Parker's career as a public health nurse spanned for over three decades tending to the sick throughout Allegheny County.

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh recognizes the 1993 Renaissance Too Publication Trailblazer Awardees for their exemplary service to the African American community and the City of Pittsburgh, and further extends well wishes for continued success.

Mr. Darkins moved to adopt the resolution.

Mr. Ferlo seconded the motion.

Which motion prevailed.

Speaker:

On behalf of Connie Portis who was unable to attend today, I would like to thank Pittsburgh City Council for this recognition of the 1993 Renaissance Publication Trailblazers.

As an Advisory Board member of Renaissance Publication, I know that I am particularly pleased with this year's selection.

On behalf of Renaissance Publication and as a tribute to the great efforts and works that these people have done for Western Pennsylvania, specifically in the Pittsburgh area, I would like to thank Councilman Darkins, thank the other Councilmembers, for this honor and for the Trailblazers also.

I also want to encourage you to come to the Carnegie on March 20th and join us in this year's Black Extravaganza. Thank you very much.

Speaker:

I come before you trembling in a sense and I thank you so very much for the great honor.

I just want to say, first of all, that I do have to give credit to quite a number of persons. I have been able to achieve quite a lot throughout life. First, I have to give credit to the good Lord up above. That's what I do every time that I receive. I have achieved quite a lot and I have been places and what have you, and I just want to say that the love of the City of Pittsburgh –

I had the good pleasure of having the best of two worlds: the world of the country in Oakdale, Pennsylvania, and the world of the City of Pittsburgh. I was born in Oakdale and I came to Pittsburgh at the age of six years of age to stay with a bachelor uncle. And if any of you oldtimers remember that newsstand that was at the corner of Fifth and Sixth, that's where my uncle's stand was, the one-armed guy who sold papers there. Also, I was a little kid who ran around, a street urchin so to speak, who at six years of age knew and loved the City of Pittsburgh. And I still love it now. I've seen the development of it from the time that you'd have a white shirt on and five minutes later it would be sooty dirty.

Also, I've seen the development of the Greater Pittsburgh Airport where I, as a Civil Air Patrol Cadet, went up when there was one half of a runway at Greater Pitt.

I have a lot of other things to say, but I'll tell you this, that as a young kid I had those Walter Middy dreams and I thank the good Lord and my family and my wife and so forth and a lot of friends who have helped me along the way. I see Michelle Madoff, GASP, a number of times. I see Jim Ferlo, Gene and Bishop Darkins.

So, I love you all. I love the City of Pittsburgh, and I just thank you so very much. I'm nearing retirement but that does not mean a thing. I'll still be going until.

Thank you and God bless.

Mr. Darkins:

I'm going to ask Mr. Louis Waller to come and speak. Mr. Louis Waller, if you are not aware, especially those that are looking by way of cable television, is the African American contractor that was the forerunner and has done so much work in making the City of Pittsburgh the Most Livable City in the nation with the Crawford Roberts. He was our African American contractor there and our Members of Council should know that.

Mr. Waller:

Thanks. I'm not very long on speaking.

It's been a big pleasure for us to spend all those months and hours talking to people in the community about Crawford Roberts, which is now Crawford Square. We finally got it started and we're just about finished. I suppose in the next three months Crawford Square will be finished.

I want to thank all of those who supported all the things that McCormick Baron and the City did in bringing about the Crawford Square. Thanks.

Mr. Darkins:

Would Mr. Pryor, Sr. and Mr. Pryor, Jr. come forth for the next resolution, please?

Mr. Darkins presents

No. 2031 WHEREAS, in 1947 William A. Pryor, Sr. and E. Josephine Martin began their lifelong career as master furriers; and

WHEREAS, in 1965 the business was incorporated Pryor Furs, Inc. with Mr. Pryor as President and Ms. Martin as Vice-President and

Fashion Coordinator and William E. Davis serving as an apprentice under Mr. Pryor; and

WHEREAS, since 1953, Pryor Furs has remained at its 2435-39 Centre Avenue location; and

WHEREAS, Pryor Furs, Inc. is a third generation business; son William A. Pryor, Jr. and grandson William A. Pryor, III have the distinction for being the only African American master furriers in the State of Pennsylvania; and

WHEREAS, Pryor Furs offers a complete fur service, specializing in custom design, alterations, restyling and repairs; and

WHEREAS, for many years, Pryor Furs provided fur service to Kaufmann's, Saks Fifth Avenue, Joseph Hornes, Lane Bryant and 17 independent fur salons; and

WHEREAS, Pryor Furs sponsors fashion shows throughout the country and is known nationally for manufacturing and design of fine furs; and

WHEREAS, in 1993, Pryor Furs, Inc. expanded to a full service cleaners, offering its customers same day quality service, including repair, alteration, tailoring service and suede and leather service; and

WHEREAS, in 1987 Pryor Furs established a scholarship fund and anticipates opening a training facility to teach the fur trade to African American youth.

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh extends wishes for continued success, and further congratulates Pryor Furs, Inc. and its staff for working together as a team for 45 years and building a business that has reached local and national prominence.

Mr. Darkins moved to adopt the resolution.

Mr. Cohen seconded the motion.

Which motion prevailed.

Speaker:

This is a very exciting moment for me, never having dreamed that this occasion would come about. However, one of the things that has helped me so much was my projection and that was what I was doing for posterity sake.

My goal was to make the transition in your lifetime. Here is my son here that is my Manager. My grandson who is also doing very, very well in designing and working.

In order to solve our problem, my goal is not just to do it but be able to manufacture and be a producer, not just a consumer. Thank you.

Speaker:

Thank you for the award. I would also like to reiterate that as long as what we're trying to do I have been instilled with the thing that we want to do in the future and that is to try to do something with the youth, whether it be through furs or dry cleaning or whatever. I think it's time for us, especially up where we are in the Hill, to reach out and try to do some things. And I think by us being there for so long, we could be a proven role model to try to get some things done. Thank you.

Mr. Darkins:

For my next resolution, I would ask for the Pennsylvania Black Conference of Higher Education, those that are here today, to come forward.

There may be a period of some two months that I probably won't do any resolutions, so we're having a good time today.

And I am so honored that our First Lady of Council, Michelle, is here because I know her feelings in regards to a lot of resolutions. Thank you so much, Michelle.

Mr. Darkins presents

No. 2032 WHEREAS, on February 24, 1993 the Pennsylvania Black Conference On Higher Education, Inc. will host its 23rd Annual Conference in the City of Pittsburgh; and

WHEREAS, the theme for the 1993 Pennsylvania Black Conference On Higher Education, Inc. is "Out of the Malaise: The Case for a New Militancy for the 90's"; and

WHEREAS, PBCOHE's Annual Conference serves to enlighten members on trends in education and success rates for African American students and offers education workshops, in-service training, program planning activities, and social and culture events to the general membership; and

WHEREAS, proceeds from the conference assist African American students attending colleges and universities in the Commonwealth of Pennsylvania with the cost of higher education.

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh welcomes the Pennsylvania Black Conference On Higher Education, Inc. to the City of Pittsburgh and its guest speakers, Mr. Ron Brown, Secretary of Commerce of the United States, Dr. Ruth Love from San Francisco, The Honorable Vincent Hughes, Chair of the Pennsylvania Legislative Black Caucus, Dr. Thomas Cole from Atlanta, Georgia, and Dr.

Leon Haley, Executive Director of the Pittsburgh Urban League, and further commends Founder K. Leroy Irvis for his vision to create a body dedicated to ensure equal education for Black African Americans and other minorities in the Commonwealth of Pennsylvania; and

BE IT FURTHER RESOLVED, that the Council of the City of Pittsburgh extends to the Pennsylvania Black Conference On Higher Education, Inc. best wishes for successful attainment in carrying out its theme and its goal to challenge the economic, social, educational and political plight of African Americans.

Mr. Darkins moved to adopt the resolution.

Mr. Ferlo seconded the motion.

Which motion prevailed.

Speaker:

Good morning. On behalf of our State President, Dr. Alphonse Novell, who is the Assistant Provost at Indiana University of Pennsylvania, and Mr. John Shropshire, the Dean of Admissions and Records at Clarion University of Pennsylvania, Ms. Gail Moss and I are very delighted to be here this morning to accept this resolution.

As you have heard, the Pennsylvania Black Conference On Higher Education was inceptioned in 1970 under the capable leadership of K. Leroy Irvis. For the past 23 years, we have been advocates for higher education for African Americans continuing their education in post secondary institutions across the State of Pennsylvania and moving on to Masters, Ph.D's and professional degrees.

We invite you to join us beginning tomorrow, February 24th, and continuing through Saturday, the 27th, at the Hyatt Hotel

here in Pittsburgh, Pennsylvania. We will have more than 200 African American educators from across the State of Pennsylvania and the contiguous states joining us to again discuss and resolve some of the problems facing our African American youth in the State of Pennsylvania.

Again, thank you, Councilman Darkins.
And I thank the rest of Council for this resolution.

Mr. Onorato:

I'd like to call up Harriett Henson and Jim White, please.

Mr. Onorato presents

No. 2033 WHEREAS, Ms. Harriett Henson, Executive Director of the Northside Tenants Reorganization, has been a North Side resident since the age of five; and

WHEREAS, Ms. Henson became active with the Northside Tenants Reorganization in 1983 as a committee member, reviewing Mistick, Inc.'s renovation of Northside Properties units; and

WHEREAS, the Northside Tenants Reorganization is a non-profit organization which pursues three inter-related goals: enhancing resident self-esteem, improving neighborhood quality of life and, ultimately, securing management control and ownership of Northside Properties, which includes 333 units in 251 structures throughout Pittsburgh's North Side; and

WHEREAS, in 1984 the Board of Northside Tenants Reorganization asked Ms. Henson to serve as Director of the group and she took a substantial cut in pay and job security to assume this position; and

WHEREAS, along with other Northside

residents, Ms. Henson completed a one-year program in tenant management leadership development; and

WHEREAS, in May of 1991, Ms. Henson met with President George Bush as a spokesperson for tenant empowerment issues. Ms. Henson stated to President Bush that her organization represents tenant management and ownership aspirations for 297 single female heads of households, currently residing in 333 low-income historically significant buildings known as Northside Properties. Ms. Henson talked at length with President Bush about NTR's plans for obtaining ownership of Northside Properties and their immediate plans to develop the \$4.6 million Brighton Place housing development.

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh hereby recognizes Ms. Harriett Henson for her hard work with low-income tenants aiding them in gaining management and control of their own homes and futures and thus enhancing their self-esteem and improving neighborhood quality of life.

Mr. Onorato moved to adopt the resolution.

Mr. O'Connor seconded the motion.

Which motion prevailed.

Mr. Onorato:

Before I ask Harriett to step forward and say a few words, I've known Harriett for several years now and this is one individual that truly is having an impact on hundreds of people on the North Side. This is what we should be doing throughout the public housing communities. It's ownership from the individuals and the pride in the individuals of having that ownership. That's something we should be striving for.

We have Jim White here, too, who I'm sure Harriett will tell you is fighting every day on the front lines with her with many other volunteers that are not here today that I see at meetings.

Harriett, at this time would you like to address Council?

Ms. Henson:

First of all, I would like to say good morning. And I would also like to thank Councilman Onorato and Pittsburgh City Council for recognizing our organization.

Since one out of every three African Americans in the City of Pittsburgh live in either subsidized or public housing, any time one of us can get any type of recognition it is indeed a step forward for all of us.

My organization is heading down the road of resident management. We are the only Section 8 group in the country that has decided to take on the task of resident management.

Through working with the Mistick Organization, which has not been easy, we have been able to structure an agreement with them where we will indeed take over the total management of all of their property this Spring and it is our goal that we will, toward the end of the year, be able to go into home ownership and own all of the units where we currently reside.

So, we are moving forward and we ask for your prayers and your support. Thank you.

Michelle Madoff:

You're a delight. I've been fighting for what you've been talking about for 15 years that I've been here on Council. I met with the local

HUD Regional 3. This is the only hope, to give people pride of ownership.

What I would love to see you do is get a grant, and I don't think it would be too difficult to make a tape and a film, so that other entities, Westgate where I live and Broadhead Manor and all the other facilities where the truth that you said today that one out of three families do indeed live in public housing, could start to enrich themselves and benefit from your knowledge.

Mr. Darkins:

Harriett, I would like to commend you on a job well done. When I visited the North Side last year and saw the completion of what had transpired and those that had graduated through the training courses there, I was very much impressed.

Your honors and glories today are from when seeds have been planted on fertile soil they grow. And Dan Onorato bringing you to Council today is a perfect example of what's happening in the African American community. Thank you.

Mr. Ferlo:

Harriett, I just want to echo the proclamation comments.

You had mentioned the Mistick Company but it's also the case that the Housing Authority hasn't always been a friend of NTR either. I hope that we've begun to change that from the Board on down. I know we've had our battles there and I've tried to support you as much as possible at the Housing Authority trying to mend their ways because historically in the past the Housing Authority viewed you as a competitor for dollars regarding the Administration of the public housing Section 8 units that you've been managing. You've actually been doing the work and the Housing

Authority has been getting the gravy.

I think that's now changed. I think it's a matter of policy now that we've changed that, and I would hope, and it's certainly my prayer, that you're not only successful but, as Michelle indicated, that you can set the pace for some of the other public housing communities throughout the Housing Authority structure.

So, a lot is riding on you and your group's success and I wish you well. I appreciate your hard work.

Ms. Henson:

I would like to say that what Councilman Ferlo is saying about the Housing Authority is indeed true. Several years ago we did not have the best relationship with the Pittsburgh Housing Authority but within the last year and a half in particular we've had a very good relationship with the Pittsburgh Housing Authority and Director David Washington. But I must say that it did not come without a struggle and Councilman Ferlo was always there to support us.

The Chair:

Thank you very much.

I'd now like to ask Mary Carnevale to please step forward to receive this resolution, and anyone that would like to step forward with her. I believe her sister Ona Aiello is here, her son, Michael, and Jeannie Myers who will be her replacement as the Supervisor for the Parking Patrol Officers for the City of Pittsburgh.

Good morning, Mary. We're honored to have you.

The Chair presents

No. 2034 WHEREAS, Mary Carnevale

will be retiring from public service on Friday, February 26, 1993; and

WHEREAS, Mary Carnevale was hired on June 7, 1965 as a Parking Patrol Officer; and

WHEREAS, Mary Carnevale was appointed as Supervisor of the Parking Patrol Office in May, 1988; and

WHEREAS, Mary Carnevale is the wife of the late Salvatore "Buster" Carnevale and mother to Joseph who resides in England, Michael who resides in Pleasant Hills, and Susan who lives in Missouri, and is grandmother to three beautiful grandchildren; and

WHEREAS, Mary Carnevale has spent 29 years of dedicated service to the City of Pittsburgh, having only one complaint filed against Badge #8 for writing tags in a babushka and plaid skirt; and

WHEREAS, Mary Carnevale has stated that the thing she will miss most is the fine folks she has met in all of Pittsburgh's 88 neighborhoods and all the good people she has worked with during her employment.

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh commends Mary Carnevale for her life's work in public service, and expresses their wishes for a retirement filled with enjoyment, happiness and good health; and

BE IT FURTHER RESOLVED, that the Council of the City of Pittsburgh does hereby proclaim February 26, 1993 as "Mary Carnevale Day" in the City of Pittsburgh.

Mr. Cohen moved to adopt the resolution.

Mr. Ricciardi seconded the motion.

Which motion prevailed.

The Chair:

Mary, on behalf of my colleagues on Council and the people of Pittsburgh, we're honored to present this resolution declaring Friday as being your day in the City of Pittsburgh, and let you know that we really have been honored to have your dedicated service for all these years. You've not only been a true professional but you've also been an individual that's been very personal and has faced a very difficult job of Parking Patrol Officer and Parking Patrol Supervisor all these years.

And believe me, it is a tough job. I've had Mary out to a number of neighborhood meetings when they have been hot and heavy meetings about parking on the streets and what is permitted, what is not permitted. And she has really done a super job under fire for a number of years.

Mary, we're honored. We hate to see you leave. We know in Jean we have a great replacement in you and we'd like you to share with us some of your thoughts, including that one complaint.

Mrs. Carnevale:

Thank you all. Someone said for me to come up and say a few words. For those of you who know me, I can't just say a few words. But I'll try and do that today.

I want to leave but I have one foot out the door and one foot in the door. It's like watching your Mother-in-Law go over a cliff in your brand new Cadillac. You just don't know what you want to do. You don't know whether you want to stay or whether you want to go.

I hate leaving all you guys and all you

ladies but I have to move on. And I'm passing the reigns over to an extremely capable individual by the name of Jean Myers and I hope everyone will give her the help that I've gotten through the years.

I most especially want to favor and thank all my neighborhood groups who I've worked with through the years, all my Businessmen's Associations. I'm going to miss them all. People from the ODI. Cindy, for the marvelous report that she worked on on her own time. People like Shirley from the neighborhoods. I could just go on and on. These are wonderful, wonderful Pittsburghers who give of their own time and all for the good of the neighborhood and all for the good of the City of Pittsburgh. They make you proud to be a Pittsburgher. And as long as we have people like that in the trenches, I have no fear about Pittsburgh at all.

And I want to thank the Councilpeople who have attended some of these meetings with me.

Councilman Cohen, we always had a nice sedate meeting with you. Very dull, I must say.

Councilman Ferlo, on the other hand, we've been through the trenches and some fights together.

Councilman Ricciardi.

When I was first appointed Supervisor some years ago, I had to appear at my first public meeting with the Businessmen's Association there. I thought, well, I have to go up and present my case because they don't know who I am. So I went up there with about 100 pounds of notes and information that I thought that I was going to be able to deliver. When I looked in the room, they were literally swinging from the chandeliers. This wasn't just verbal debate; there was physical

debate going on in this room and I had to walk in on this and try to calm the whole thing down. I felt like somebody under siege. Looking around there was nobody left but me. But I turned around the second time, somebody was sitting back there, very quietly gave me a wink and gave me a thumbs up smile. And that was Councilman Wagner. As long as he was sitting there I knew I was going to be okay. And I haven't stopped talking since, as you can all see.

I want to thank you all. I love you all. I'm going to miss you all. God bless Pittsburgh.

Mr. Ricciardi:

As Mary is leaving the floor, I would just like personally to thank Mary for all her professionalism and expertise. She has helped me in my own district concerning the Residential Parking Permit Program.

But what really stands out in my mind, Mary, is the conversations we've had and all the respect and love that you've given to your employees and how you always really talk so well of them. I think that's very admirable because it shows you what you have created in that Department and it shows all Directors, including myself, on how we should treat employees with that respect that they deserve and they've earned. That always stood out, all the times you've talked so highly of your employees.

I want to thank you, Mary, for all the help you've given me in the Oakland area. Thank you.

Mr. Cohen:

I just wanted to echo Councilman Ricciardi's sentiments and to thank Mary Carnevale for all the years of service to the City.

I have worked with you for the last three years since I've been on Council and I've never

called upon you when you haven't given me a very professional response and have shown your real dedication to the City.

The one other thing that I've learned from you, Mary, is that when I came to Council I thought that people were most passionate about live, liberty and property. In fact, that's not true. They're most passionate about parking. And you have done an excellent job in trying to keep those passions down and I appreciate it.

Mr. Darkins:

Mary, I like your remarks and everything. But you didn't say anything about your half brother from the Boot.

I just want to say to you that you're in our prayers and great success and good health the rest of your life.

Michelle Madoff:

Before you leave, could you solve one more parking problem? Up in Mount Washington people don't have anywhere to park except on their lawns. Can they pave them and park up there? Can we work that out? Could you come up and help us figure out how to do it?

Mrs. Carnevale:

I'm already up there.

The Chair:

Thank you, Mary.

Mr. Onorato:

Would Howard Kurd please come up? Howard is from the Metropolitan Baptist Church.

Mr. Onorato presents

No. 2035 WHEREAS, the month of February is designated as Black History Month in the United States; and

WHEREAS, the Scholarship Committee of Metropolitan Baptist Church is hosting a special performance of "Lift Every Voice: As Presented by the Kuntu Repertory Theatre of the University of Pittsburgh and Directed by Dr. Vernell A. Lillie" on Saturday, February 20, 1993; and

WHEREAS, the play "Lift Every Voice" is a dramatic collage that highlights the contributions of civil rights leaders, literary figures, and individuals such as Dr. Martin Luther King, Jr. who fought against social injustices; and

WHEREAS, the Metropolitan Baptist Church is to be commended for its community outreach involving programs for all ages in its efforts to fulfill God's Word; and

WHEREAS, the Reverend Lacy F. Richardson - Pastor, Frank Dorsey - Scholarship Chairman, and officers and members of this congregation have demonstrated the necessity to encourage and inspire all young people and especially college students through church scholarships.

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh hereby proclaims Saturday, February 20, 1993 as "A Tribute to Black History Day" in the City of Pittsburgh.

Mr. Onorato moved to adopt the resolution.

Mr. Ricciardi seconded the motion.

Which motion prevailed.

Mr. Onorato:

This took place last Saturday. Reverend Darkins was there watching it. The play was unbelievable. There were some talented individuals that day. I really enjoyed myself and there was also a very, very nice salute to our late colleague, Dr. Jake Milliones.

I know a lot of individuals that were in the program couldn't make it in today, so Howard, if you would speak on their behalf and explain whatever else was missing in this proclamation, I would appreciate it.

Mr. Kurd:

I just wish that every person in this room could have been at that program because it was the first picture that we ever had of that magnitude.

This is a church that has been in existence since 1850 and we're proud of our congregation. We're proud of the way the people work with each other. This is a church where everybody is somebody.

We started out with only 20 people back in 1850. Now we have a congregation of over 300. And right now we have women and men, Sister Humphrey here. We have the younger people coming in helping us older people. That's the only way that Pittsburgh can ever grow.

That program Saturday night, it was a tribute to Dr. King, Dr. Milliones, and any other civil rights worker in this country. The Scholarship Committee has been working real hard.

We also are proud of a food kitchen that we have every Friday. We feed anywhere from 80 to 150 people, White and Black, it don't make

any difference. All they have to do is just come and we give them a wholesome meal.

So, I would like Sister Humphrey to fill you in on the Scholarship Committee.

Sister Humphrey:

Good morning. We started a couple years ago with the problems of the Black youth in the City of Pittsburgh. We decided as a church to give a scholarship to every church youth that wanted it.

This past year we gave out 14 scholarships and we hope that we'll be a model for other Black churches in this City to help ourselves.

So, we thank you for this honor this morning. Thanks for your support.

Mr. Cohen presented

No. 2000 Resolution authorizing and directing the Mayor to issue and the City Controller to countersign a warrant in the amount of \$27,037.66 to the Commonwealth of Pennsylvania representing the final payment required for unclaimed funds for the year 1984 pursuant to the provisions of the Deposition of Abandoned and Unclaimed Property Act, Act of August 9, 1971, P.L. 74.

Also,

No. 2001 Resolution authorizing and directing the Mayor to issue and the City Controller to countersign a warrant in the amount of \$3,562.17 to the Commonwealth of Pennsylvania representing the final payment required for unclaimed funds for the year 1985 pursuant to the provisions of the Deposition of Abandoned and Unclaimed Property Act, Act of August 9, 1971, P.L. 74.

Also,

No. 2002 Resolution providing for conveyance by the City of Pittsburgh certain property, under Act No. 171 of 1984, entitled, "Second Class City Treasurer Sale and Collection Act", effective December 11, 1984.

Which were severally read and referred to the Committee on Finance.

Mr. Cohen moved to suspend Rule 8 by providing for consideration of the bills only until or after the 8th calendar day following the meeting in which the bills were introduced so the bills will be on the agenda this Wednesday.

Mr. O'Connor seconded the motion.

Which motion prevailed.

Also,

No. 2003 Resolution providing for the issuance of a \$936.00 warrant in favor of James and Clara Reiter in settlement of claim for sidewalk damage.

Which was read and referred to the Committee on Finance.

Mr. Darkins presented

No. 2004 Resolution vacating Fleury Way between Homewood Avenue and Nadir Way reserving the right of easement of a 42" sewer line located therein in the 13th Ward, 9th Council District of the City of Pittsburgh.

Which was read and referred to the Committee on Public Works.

Mr. Darkins moved to suspend Rule 8 by providing for consideration of the bill only until

or after the 8th calendar day following the meeting in which the bill was introduced so the bill will be on the agenda this Wednesday.

Mr. Ferlo seconded the motion.

Which motion prevailed.

Also,

No. 2005 Resolution vacating a portion of Craft Avenue at the intersection of Forbes Avenue in the 4th Ward, 6th Council District of the City of Pittsburgh.

Also,

No. 2006 Resolution vacating a portion of Forbes Avenue between Craft Avenue and McDevitt Place in the 4th Ward, 6th Council District of the City of Pittsburgh.

Which were read and referred to the Committee on Public Works.

Mr. Ferlo presented

No. 2007 An Ordinance amending the Pittsburgh Code, Title One, Administrative, Article VII, Procedures, Chapter 169, Warrants and Checks, by adding a new section, imposing certain requirements which must be satisfied before a warrant, authorizing payment with City moneys, may be executed. Reimbursement requests for all out-of-pocket expenses in excess of \$25.00 must include receipts.
--(SPONSORED BY MR. FERLO)

Which was read and referred to the Committee on Finance.

Mr. Ferlo moved to suspend Rule 8 by providing for consideration of the bill only until or after the 8th calendar day following the meeting in which the bill was introduced so the bill will be on the

agenda this Wednesday.

Mr. Ricciardi seconded the motion.

Which motion prevailed.

Also,

No. 2008 Resolution providing for the filing of a Community Development statement by the City of Pittsburgh with the U.S. Department of Housing and Urban Development for a grant in connection with the 1993 Community Development Block Grant Program; providing for the execution of grant contracts and for the filing of other data providing for required assurances; providing for execution of payment vouchers on Letter of Credit and for certification of authorized signature; the deposit of the funds in a bank account and providing for the payment of expenses within categories.

Also,

No. 2009 Resolution amending Resolution No. 818, effective July 13, 1992, providing for an Agreement or Agreements with Consultant or Consultants, or Contract or Contracts, or use of existing Contracts for payment of services and expenditures for the implementation of the "Pittsburgh-Allegheny Geographic Information System" (PAGIS) at a cost not to exceed \$26,101.94.

Also,

No. 2010 Resolution providing for an Agreement or Agreements with Salvation Army-Family Center for the payment of maintenance, operation, insurance, utilities, furnishing costs, and provision of essential services to the homeless under the Emergency Shelter Grants Program.

Also,

No. 2011 Resolution providing for an Agreement or Agreements with Light of Life Rescue Mission for the payment of maintenance, operation, insurance, utilities, furnishing costs, and provision of essential services to the homeless under the Emergency Shelter Grants Program.

Also,

No. 2012 Resolution providing for an Agreement or Agreements with YMCA - Centre Avenue for the payment of maintenance, operation, insurance, utilities, furnishing costs, and provision of essential services to the homeless under the Emergency Shelter Grants Program.

Also,

No. 2013 Resolution providing for an Agreement or Agreements with Women's Center and Shelter for the payment of maintenance, operation, insurance, utilities, furnishing costs, and provision of essential services to the homeless under the Emergency Shelter Grants Program.

Also,

No. 2014 Resolution providing for an Agreement or Agreements with Womanspace East for the payment of maintenance, operation, insurance, utilities, furnishing costs, and provision of essential services to the homeless under the Emergency Shelter Grants Program.

Also,

No. 2015 Resolution providing for an Agreement or Agreements with Community Human Services for the payment of maintenance, operation, insurance, utilities, furnishing costs, and provision of essential

services to the homeless under the Emergency Shelter Grants Program.

Also,

No. 2016 Resolution providing for an Agreement or Agreements with East End Cooperative Ministry for the payment of maintenance, operation insurance, utilities, furnishing costs, and provision of essential services to the homeless under the Emergency Shelter Grants Program.

Also,

No. 2017 Resolution providing for an Agreement or Agreements with Bethlehem Haven for the payment of maintenance, operation insurance, utilities, furnishing costs, and provision of essential services to the homeless under the Emergency Shelter Grants Program.

Also,

No. 2018 Resolution providing for an Agreement or Agreements with Miryam's for the payment of maintenance, operation insurance, utilities, furnishing costs, and provision of essential services to the homeless under the Emergency Shelter Grants Program.

Also,

No. 2019 Resolution providing for an Agreement or Agreements with Black Vietnam Era Veterans the payment of maintenance, operation insurance, utilities, furnishing costs, and provision of essential services to the homeless under the Emergency Shelter Grants Program.

Also,

No. 2020 Resolution amending

Resolution No. 604, eff. May 20, 1992, as amended by Res. No. 931, eff. Sept. 18, 1992, entitled "Providing for the execution of a Cooperation Agreement or Agreements with the URA of Pgh. for the performance of certain work in connection with the 1992-1993 CDBG Program, and providing for the payment of the costs thereof," to decrease the amount of the grant by \$766,000.00 from \$10,455,000.00 to \$9,689,000.00.

Which were severally read and referred to the Committee on Planning, Housing and Development.

Mr. O'Connor presented

No. 201 Resolution further amending Resolution No. 1348, approved December 28, 1992, entitled "Resolution adopting and approving the 1993 Capital Budget and the 1993 CDBG Program; and approving the 1993 through 1998 Capital Improvement Program," by amending the Project Number and Index Code for Project 245 (Radio Towers and Building) from 4-30-01-0015-87, Index Code 370726 to 3-30-01-0015-87, Index Code 830372.

Also,

No. 202 Resolution providing for a Lease Agreement or Agreements whereby the City of Pittsburgh and the Pittsburgh Water and Sewer Authority shall lease to the Port Authority of Allegheny County, for a term not to exceed forty-one (41) years and at a rental of one dollar (\$1.00) a portion of that certain parcel of real property located in the 18th Ward, known as the Allentown Tank/Grandview Park Site, and granting a nonexclusive easement over adjacent lands for access to the site.

Also,

No. 203 Resolution providing for a Cooperation Agreement or Agreements with the Port Authority of Allegheny County and the Pittsburgh Water and Sewer Authority, and for other agreements or to use existing agreements and contracts, for the demolition and removal of old towers, equipment, building and associated facilities at the Allentown Tank/Grandview Park Site and for the upgrading, modernization and construction of a radio tower, equipment, buildings and other improvements, at a total cost not to exceed \$250,000.00.

Which were severally read and referred to the Committee on General Services.

Mr. Onorato presented

No. 204 An Ordinance supplementing the Pittsburgh Code, Title I - Administrative, Article XI - Personnel, Chapter 197 - Code of Conduct (known as the Ethics Ordinance), by amending Section 197.04 - Use of Authority & Public Property by adding a new subsection to prohibit the use of the City moneys to pay for certain consultants. --(SPONSORED BY MR. ONORATO, MR. COHEN, MR. O'CONNOR & MR. WAGNER)

Which was read and referred to the Committee on Finance.

Mr. Onorato moved to suspend Rule 8 by providing for consideration of the bill only until or after the 8th calendar day following the meeting in which the bill was introduced so the bill will be on the agenda this Wednesday.

Mr. Cohen seconded the motion.

Which motion prevailed.

Mr. Ricciardi presented

No. 205 An Ordinance amending the

Pittsburgh Code, Title One--Administrative, Article IX, Boards, Commissions and Authorities, Chapter 172--Private Sector Commission on Cost Control, Subsection 172.01, Creation, Organization, Quorum and Rules, and Subsection 172.02, Powers and Duties, by providing for expanded appointing power, amended powers and duties; and by renaming the Commission. ---**(SPONSORED BY MR. RICCIARDI)**

Which was read and referred to the Committee on Finance.

UNFINISHED BUSINESS

Mr. Ricciardi:

One question, Mr. Wagner. Last week we requested information on the Weed and Seed Program, a program to eradicate drugs from the Hill District. I know Mr. Perry did draft a letter and I was wondering if we received a response.

Mr. Perry:

At this time, no.

Mr. Ricciardi:

Thank you.

Michelle Madoff:

This Council has a great interest in what is happening in the litigation in the Fire Stations and inadvertently I happened to go out to the existing Arlington Fire Station. I had wrong directions, not to the site where they're planning to build one. I was fascinated to see this absolutely new building. I thought it was built yesterday. I said, "Oh my God, they finished it before we could stop it."

So, I requested from Director Sciuilli the cost of building that Fire Station. I have yet to receive it. Have you got it, Mike?

I also requested, with eight signatures of this Council, the certified copies of the prevailing wage, and we got a memo saying that if we pay \$125 they'll turn it over to us. And when I was appalled and made some calls, they quickly rescinded that.

It appears that it's the on-going same old, same old. They're going to stonewall us and give us as little information as possible. And there's no secret about, and it so obvious that anybody with half a brain, why I'm looking at the price of the Fire Station. If it's eight years old, even though it looks like it was built eight weeks ago, and incidentally I've requested from URA the cost of the land that was transferred by URA and that is being supplied to us, that was promised, but it doesn't take a genius to figure out what the debt service is on the Fire Station. And I think it would be very safe to say that the Fire Station that we're not going to be using, that the Administration would try not to use, has not even been paid for.

I think those numbers are very important to my colleagues and, again, as Unfinished Business, I would like to get that information and I would like them to stop stonewalling.

Mr. President, are you going to act on that? Are you going to ask the Clerk to get that information?

The Chair:

I believe you just did.

Michelle Madoff:

I've already asked the Clerk to get it. I've asked for it and we haven't received it. Now, as the President and the leader of this Council, what

do you plan to do about it?

The Chair:

As the President and leader of this Council, I am only as powerful as the majority.

Michelle Madoff:

God willing.

The Chair:

And if you have a motion to do something, I would suggest you put it on the floor.

Michelle Madoff:

You don't want to hear what I'm going to suggest, but basically we would hope that whoever is the President of this Council would enact some action as opposed to rhetoric about making things happen.

The Chair:

Councilwoman Madoff, if you're insinuating that what I'm saying is rhetoric, if there has been a request put forth, simply what you have done in asking Mike Perry as City Clerk to follow up on it, that should be sufficient to get the information.

Michelle Madoff:

And when we don't get answers to questions on weeks on end, what is the role of the President of this Council? Should he not take some action? Should he not stop the business of the Mayor and the Department Heads until we get our answers?

The Chair:

Within the last two weeks, based on my request a couple weeks ago, I believe we've had 30 to 40 pieces of information flowed to this body.

In regard to that specific item, Mr. Perry, I would simply appreciate that you would follow up again, based on Councilwoman Madoff's request.

Michelle Madoff:

Thank you.

The Chair:

You're welcome.

Michelle Madoff:

And then we'll follow up again and again and maybe someday we'll get it.

REPORTS OF COMMITTEES

Mr. Cohen presented

Bill No. 2026

Report of the Committee on Finance for February 17, 1993 transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 1916

A Resolution entitled, "Resolution providing for the issuance of a warrant in the sum of \$5,100 to Harold Morris, c/o Bruce J. Phillips, Esquire,

Gilardi & Cooper, 808 Grant Building, Pittsburgh, PA 15219 in full and final settlement of alleged personal injuries regarding an accident on Broadhead Fording Road, on or about December 20, 1986."

Which was read.

Also,

Bill No. 1917

A Resolution entitled, "Resolution providing for the issuance of a \$5,103.50 warrant in favor of Joseph and Janet Lewis, in settlement of claim for sewer service line damage."

Which was read.

Also,

Bill No. 1918

A Resolution entitled, "Resolution providing for the issuance of a \$3,744.80 warrant in favor of Roberta Smith for automobile damage."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. O'Connor
Mr. Darkins	Mr. Onorato
Mr. Ferlo	Mr. Ricciardi
Michelle Madoff	Mr. Wagner

(Pres't)

AYES 8

NOES none

And there being two-thirds of the votes of Council being in the affirmative, the bills passed finally.

Also,

Bill No. 1919

A Resolution entitled, "Resolution providing for the filing of an application by the City of Pittsburgh with the United States of America, Equal Employment Opportunity Commission, for a grant or grants in connection with Deferral of Employment Discrimination Charges, EEOC-706 Project; providing for the execution of a Grant Contract and for the filing of requisitions and other data; approving the EEOC-706 Project; providing for required assurances; providing for execution of payment vouchers on Letter of Credit and for certification of authorized signatures; maintaining a Special Trust Fund in connection with the Project; and providing for the deposit of funds in a bank account."

Which was read.

Also,

Bill No. 1954

A Resolution entitled, "Resolution providing for the filing of a petition or petitions for the sale of certain property or properties, acquired at tax sales in accordance with Act No. 171 of 1984, 'Second Class City Treasurer Sale and Collection Act', effective December 11, 1984."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. O'Connor
Mr. Darkins	Mr. Onorato
Mr. Ferlo	Mr. Ricciardi
Michelle Madoff	Mr. Wagner
	(Pres't)

AYES 8 NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Mr. Darkins presented

Bill No. 2027

Report of the Committee on Public Works for February 17, 1993 transmitting two resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 1869

A Resolution entitled, "Resolution providing for a Contract or Contracts, or the use of existing Contracts for the rental and repair of equipment in connection with the City of Pittsburgh's Capital Construction Division, and providing for the payment of the cost thereof."

Which was read.

Mr. Ferlo:

On Bill 1869, this is an authorization in the amount of \$400,000 in the Capital Construction Division of Public Works and General Services. I think it's very clear, as far as I'm concerned, that part of these funds, not all of these funds but part of these funds, will and could be conceivably used to pay for expenditures already incurred or possibly future expenditures on the construction of two controversial fire stations.

So, in voting no on this resolution, I'm voting no for that reason. I obviously did not object to the Administration entering into contract for other kinds of rental and repair of equipment that's needed in the Division. But I do object to the past expenditures and/or any current expenditures involving the two fire stations that are in dispute. Until such time as there's a formal approval, I, in good conscience, cannot vote for Bill 1869. That's why I'm voting no.

Mr. Ricciardi:

I am also voting no on Bill 1869. Last week during the preliminary vote of Wednesday's Committee Session I also voted no.

I was very disturbed by the memorandums that were brought to the table by Councilman Ferlo showing memorandums between departments saying that, well, we need an expenditure, we have to build these fire stations; let's put them within this item and hopefully they'll get "lost".

Other comments in the memorandums were, "Everything is going so smoothly, let's not mess up now."

So, those memorandums were very

disturbing. I believe that if we're having a capital expenditure just as building new public facilities, they should come in separate line items.

So, I'm also voting no on 1869. Thank you.

Mr. Onorato:

If you're referring to those memorandums of last Wednesday, if I'm not mistaken, Councilman Ferlo, didn't you or someone ask for an explanation of the memorandums and did we receive those explanations?

Mr. Ferlo:

We didn't specifically receive a response to asking the Director for a response to the memorandums. The Director of Public Works, Director Walluk, indicated generally at the table that he did not believe necessarily that these monies would be used for future expenditures, although he indicated, sort of in a nebulous way, that some of the past invoices associated with rental and repair of equipment on the two fire stations could conceivably be paid out of this code account.

I'm in favor of the resolution but I would only vote for it if it were amended to say that it's not paying for anything relative to the two fire stations in dispute.

The Chair:

Mr. Perry, was there a specific request for information here made on this bill?

Mr. Perry:

Not in writing.

Mr. Ferlo:

The presumption was, if you remember, the bill was introduced initially and we had an initial discussion. At that point, there was some general indication and reference made to these memos between staff in the Budget Office to Public Works. At that point, it was Mr. Sciulli at the table who indicated he didn't have a way of responding because he wasn't familiar and the bill was held. When the bill came up the second time, it wasn't Mr. Sciulli at the table, it was Director Walluk, and there wasn't really any discussion about the memorandum.

My concern, basically, is the issue of the either past or future expenditures relative to the two fire stations. And that's why I'm not voting for this bill.

The Chair:

I just want to make it clear that if there was a request, there was a request. If there wasn't, there wasn't. And evidently there wasn't.

Mr. Ferlo:

I don't think there was a written request. There was an implied request for additional information.

Mr. Onorato:

I can't remember if this was an emergency but, if it's possible, let's hold it for one week to clarify it. Councilman Cohen can clarify it.

Mr. Cohen:

I'm not sure I can clarify it but in light of the discussion I do think we should recommit the bill because this bill, as I'm sure Councilman Ferlo and others would agree, also contains

important authorization to rent equipment for Public Works, all kinds of equipment, and certainly not directly related to the fire station. So I think we should recommit and get a clear answer.

Mr. Onorato seconded the motion.

Michelle Madoff:

Discussion. I am concerned that if we recommit it and we don't get the kind of information that I requested earlier, it all goes to the same issue. I don't think that we can start -- This is exactly what I was talking about. Why would we even think of passing legislation like this when we don't get answers to things like what did it cost to build the existing station?

I'm making the point that they both come at the same time so that we can then vote intelligently and we know what we're voting for.

The Chair:

There is a motion on the floor and a second. The only discussion is on whether or not it should be recommitted.

Mr. Onorato:

I think in the vote for the recommitment we should also send a written request at this point with an explanation of those memorandums so we have it for Wednesday's discussion.

Mr. Cohen:

Just a brief answer to Michelle. The reason why we would consider voting for this and trying to move it along quickly is that this is for rental and repair of equipment. That includes snow-plowing equipment, it includes asphalt equipment for paving our streets. I'm sure Michelle doesn't want to hold all of that up any

longer than we have to. So let's recommit it and have it come up tomorrow.

The Chair:

All in favor? Opposed?

WHICH MOTION PREVAILED.

Also,

Bill No. 1920

A Resolution entitled, "Resolution vacating a portion of Margray Way between Interboro Avenue and McElhinny Avenue, reserving the right of easement of a 8" sanitary sewer line located therein in the 31st Ward, 5th Council District of the City of Pittsburgh."

Which was read.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. O'Connor
Mr. Darkins	Mr. Onorato
Mr. Ferlo	Mr. Ricciardi
Michelle Madoff	Mr. Wagner
	(Pres't)

AYES 8

NOES none

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Mr. Ferlo presented

Bill No. 2028

Report of the Committee on Planning, Housing and Development for February 17, 1993 transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 1924

A Resolution entitled, "Resolution amending Resolution No. 330, effective April 3, 1992 as amended by Resolution No. 718, effective June 23, 1992 entitled 'Providing for the filing of a Community Development statement by the City of Pittsburgh with the U.S. Department of Housing & Urban Development for a grant in connection with the 1992 Community Development Block Grant Program' so as to reduce line items in the Urban Redevelopment Authority and increase a line item in the Department of City Planning and the Department of Parks & Recreation."

Which was read.

Mr. Ferlo:

On Bill 1924, regarding the reauthorization of the Community Development Block Grant, this is somewhat misleading and sort of a convoluted resolution. If I understand it correctly, it's basically changing the Block Grant allocation for last year and this year basically in keeping with Council and the Administration's intent to budget additional Block Grant dollars for police hiring.

I've already expressed myself on that view. I don't feel that we should be raiding the

Block Grant account. I had proposed raising the parking tax, albeit unpopular, so that that additional revenue, roughly \$2 million could be used to pay for additional badly needed police.

Obviously I did not win out on that. The majority of Councilmembers chose to support the Administration's view that the use of the Block Grant would be appropriate, legal, and makes good public policy. I don't agree with that.

My question on this bill, and I would like to make a motion to recommit it, to clarify this issue of the police hiring relative to the use of the Block Grant. Mr. Wagner, myself, Mr. Cohen was at the meeting the other night, Reverend Darkins. I'm concerned about getting a clear understanding and commitment based on the Administration based on the numbers game involving police. It's City Council's opinion by majority vote on the budget. Obviously we needed to increase the overall number of police officers on the payroll. It has always been the case, at least for the five years that I've been here, that this Council has budget and authorized to hire a number of police officers than this Administration ever intended or was willing to hire. And that number for the last half a decade has been at the 1,175 figure.

The majority of Councilmembers, supposedly with the support of the Administration, increased that 1,175 authorized budget amount to 1,275 in total recognizing that 70 of those officers, the 1,245 figure, would be from the use of the Federal Block Grant monies.

In addition, there was an amendment offered basically rating various code accounts and adding an additional 30 officers that would be budgeted, and that was a total of 1,275.

So, the 1993 approved Council Mayor City Budget right now authorizes 1,275 officers, recognizing that 70 of those are at the

expenditure from the Federal Block Grant.

My concern in this bill, and I think we need a clarification, is what is real. Is this smoke and mirrors or is the Administration actually right now committed to a full complement in the authorized City Budget at the 1,275 figure?

The reason why I'm concerned, and I think it's appropriate to this resolution to recommit it and get a response from Director Turner and the Administration, is the following, and I'd like to ask a question pursuant to recommitment: that is, do we have a clarification from HUD regarding their approval of this arrangement on utilizing those federal dollars?

Let me just explain real quickly why that is relevant. The Administration indicated to Council in a meeting in the Mayor's Chambers prior to a final vote on the budget that this arrangement of utilizing the federal dollars had indeed been tentatively approved by HUD. I'd like clarification on that point as to whether or the Administration actually has a memo or some letter approving this arrangement.

The reason why it's relevant is that the Administration at that time, Director Turner was quoted in the newspaper as saying that as long as the 70 represents a new effort and a new complement of officers above and beyond what is authorized in the City budget, it would be approved by Region 3 Choice Edwards from HUD.

The question I have, because at this point Director DiNardo is quoted as saying that he only has authorization to hire 1,245 officers, not 1,275 authorized budget. The reason why it's relevant to get a clarification from HUD is the additional 30 officers. It would be my contention based on HUD's own interpretation of this rule that the Administration must first commit to hiring the 1,175, then hire the additional 30 from the City's

Operating Budget which was an amendment offered by Mr. Onorato and Mr. Cohen. And then, after they've reached that 1,245, and only at that point, can they then hire the additional 70 officers utilizing the Block Grant.

I'd like to make a motion to recommit this for two reasons: one, to get a clarification from HUD on the interpretation of this rule; and secondly, to specifically hear from the Administration on exactly what their commitment is. I'm tired of playing this numbers game every year regarding police authorization. I've been here for five years and for five years we have authorized and budgeted more than the Administration ever intended on filling.

We have a Mayoral election now. Yourself, Mr. Wagner, is out saying that you would even like to see an additional number of officers. I applaud you for that.

Mr. Onorato and Mr. Cohen, in terms of the budget debate, offered an amendment regardless of whether they raided code accounts or not. Their commitment obviously was that we needed more officers.

I don't know that we're all marching to the same tune and I would like to respectfully ask that we recommit this bill for the purposes of hearing from the Administration and exactly what is their commitment.

Michelle Madoff:

Second for discussion. As you know, I was out ill last week with the flu, but my office and my home have received numerous calls about four burglaries particularly in Sheraden over the past few days.

The police zones which cover my district and part of Councilman Wagner's district, from Westgate Village to Beechview, is one of the

largest geographical and probably the most topographical zone in the City and has the smallest allocation of police officers - 86.

I would like to know, in keeping with what Mr. Ferlo has requested, what the Administration is going to do about assuring the safety of my constituents, not that I'm not concerned about all of the City because I am and I've been active --

The Chair:

Councilwoman Madoff, to get into the particulars of the Police Bureau when we're talking about a funding mechanism here that involves all City Departments is really not the right issue to bring up.

Michelle Madoff:

Why didn't you say that to Mr. Ferlo? Is there some particular reason?

The Chair:

Mr. Ferlo had a motion to recommit.

Michelle Madoff:

And I'm addressing the motion to recommit and explaining why I support what he said. I'm reiterating and adding to what he said.

The Chair:

That is not the issue in front of us, quite frankly. We can have an extensive discussion on the numbers of police officers throughout this City, and we've had that in a repetitive sense. I think it's healthy, but now is not the time. We're talking about community development monies here and not the numbers of police officers. I'm more than happy to have a public hearing on that and whatever. But I just don't want us to start

talking about the zones and whatever. This isn't the time to do that.

Michelle Madoff:

May I respond to your statement?

The Chair:

I don't really have a statement. I'm just trying to get the business of Council moving.

Michelle Madoff:

I want to respond to procedure only. The procedure was that my esteemed colleague, Mr. Ferlo, stated his reason for wanting a bill committed and, indeed, addressed the issue of the numbers of police. And I respect that and I think he has every right to do that. However, when I do the same thing, I am ruled out of order. Ladies, pay attention. Thank you.

The Chair:

We are talking about recommitment and you can talk about whatever you want to talk about, but we're talking about the bill in front of us.

Michelle Madoff:

Done. The public understands clearly what you're doing.

Mr. Cohen:

Mr. President, in the interest of moving the meeting forward, I will abstain from responding to a couple of things that Councilman Ferlo said, particularly about raiding code accounts, but only if we can talk about that tomorrow, subject to recommitment.

The Chair:

I will vote for recommitment but we cannot hold this bill up much longer than one week. That's all I care about.

Mr. O'Connor:

I hate to get into technicalities here, and if we can talk about it tomorrow, I'm willing to. But I came up with the idea to use the CD money for the 70 new officers.

The Chair:

Mr. O'Connor, I'm going to ask you also. We cannot get into particulars of this bill. This bill says nothing about officers in it.

Mr. O'Connor:

Just one quick point.

Michelle Madoff:

Sorry. The rules apply evenly. They ruled me out of order.

The Chair:

That's right. They do apply evenly and if we're going to recommit it, fine. If not, we'll discuss it all day. That's okay with me.

All in favor of the motion to recommit?
Opposed?

WHICH MOTION PREVAILED.

Also,

Bill No. 1925

A Resolution entitled, "Resolution providing for an Agreement or Agreements for professional

auditing services in connection with the Community Development Block Grant Program - Third Party Contracts."

Which was read.

Also,

Bill No. 1926

A Resolution entitled, "Resolution authorizing the Urban Redevelopment Authority of Pittsburgh to acquire all of the City's right, title and interest, if any, in and to the publicly-owned property in the 11th Ward of the City of Pittsburgh designated in the Deed Registry Office of Allegheny County, as Block 83-A, Lots 264 and 266, under the Residential Land Reserve Fund."

Which was read.

Also,

Bill No. 1927

A Resolution entitled, "Resolution approving execution of a Contract for Disposition of Land by and between the Urban Redevelopment Authority of Pittsburgh and Bloomfield-Garfield Corporation for the sale of Block 83-A Lots 264 and 266 in the 11th Ward of the City of Pittsburgh (RESIDENTIAL CONSTRUCTION)."

Which was read.

Also,

Bill No. 1928

A Resolution entitled, "Resolution authorizing the Urban Redevelopment Authority of Pittsburgh to acquire all of the City's right, title and interest, if any, in and to the publicly-owned property in the 10th Ward of the City of

Pittsburgh designated in the Deed Registry Office of Allegheny County, as Block 50-L, Lot 334, under the Residential Land Reserve Fund."

Which was read.

Also,

Bill No. 1929

A Resolution entitled, "Resolution approving execution of a Contract for Disposition of Land by and between the Urban Redevelopment Authority of Pittsburgh and Russell L. Brown, Sr. and Roselyn L. Brown for the sale of Block 50-L Lot 334 in the 10th Ward of the City of Pittsburgh (RESIDENTIAL/COMMERCIAL REHABILITATION)."

Which was read.

Also,

Bill No. 1930

A Resolution entitled, "Resolution authorizing the Urban Redevelopment Authority of Pittsburgh to acquire all of the City's right, title and interest, if any, in and to the publicly-owned property in the 8th Ward of the City of Pittsburgh designated in the Deed Registry Office of Allegheny County, as Block 26-H Lot 85, under the Industrial Land Reserve Fund."

Which was read.

Also,

Bill No. 1931

A Resolution entitled, "Resolution approving execution of a Contract for Disposition of Land by and between the Urban Redevelopment Authority of Pittsburgh and James Marsonck for the sale of Block 26-H Lot 85 in the 8th Ward of

the City of Pittsburgh (COMMERCIAL SIDEYARD)."

Which was read.

Also,

Bill No. 1932

A Resolution entitled, "Resolution authorizing the Urban Redevelopment Authority of Pittsburgh to acquire that property in the 11th Ward of the City of Pittsburgh owned by Lloyd A. Moore, et.al., and designated as Block 83-E Lots 80 and 82 in the Deed Registry Office of Allegheny County, under the Residential Land Reserve Fund, said property having been certified as blighted by the Vacant Property Review Committee and the Planning Commission of the City of Pittsburgh."

Which was read.

Also,

Bill No. 1933

A Resolution entitled, "Resolution approving execution of a Contract for Disposition of Land by and between the Urban Redevelopment Authority of Pittsburgh and Bloomfield-Garfield Corporation for the sale of Block 83-E Lots 80 and 82, in the 11th Ward of the City of Pittsburgh (RESIDENTIAL CONSTRUCTION)."

Which was read.

Also,

Bill No. 1934

A Resolution entitled, "Resolution authorizing the Urban Redevelopment Authority of Pittsburgh to acquire that property in the 6th Ward of the City of Pittsburgh owned by Joseph

E. Gibbons, et.ux., and designated as Block and Lot 48S-213-1 in the Deed Registry Office of Allegheny County, under the Industrial Land Reserve Fund, said property having been certified as blighted by the Vacant Property Review Committee and the Planning Commission of the City of Pittsburgh."

Which was read.

Also,

Bill No. 1935

A Resolution entitled, "Resolution authorizing the Urban Redevelopment Authority of Pittsburgh to acquire the properties in the City of Pittsburgh under the Residential Land Reserve Fund, said properties having been certified as blighted by the Vacant Property Review Committee and the Planning Commission of the City of Pittsburgh."

Which was read.

Also,

Bill No. 1936

A Resolution entitled, "Resolution approving execution of a Contract for Disposition of Land by and between the Urban Redevelopment Authority of Pittsburgh and various Redevelopers for the sale of properties in the City of Pittsburgh (SIDEYARDS)."

Which was read.

Also,

Bill No. 1979

A Resolution entitled, "Resolution approving a Conditional Use Exception under Section 993.01(a)A(33) of the Pittsburgh Code, Title

Nine, Zoning, Article V, Chapter 993, to Western Manor, Incorporated, for authorization to convert the existing five-story structure located at 2851 Bedford Avenue, identified as Building 'D', into thirty-nine (39) units of housing for the elderly and one (1) for a resident manager, a community clinic, and a senior citizens center, with parking to accommodate twenty-four (24) automobiles, on property zoned 'R4' Multiple-Family Residence District, 5th Ward."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. O'Connor
Mr. Darkins	Mr. Onorato
Mr. Ferlo	Mr. Ricciardi
Michelle Madoff	Mr. Wagner
	(Pres't)

AYES 8 NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Mr. Onorato presented

Bill No. 2029

Report of the Committee on Public Safety for February 17, 1993 transmitting one ordinance and one resolution to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 1937

An Ordinance entitled, "An Ordinance supplementing the Pittsburgh Code, Title Six - Conduct, Article I, Regulated Rights and Actions, by adding Chapter 608 - Youth Offender Work Corps."

—(SPONSORED BY MR. ONORATO)

Which was read.

Mr. Onorato:

Mr. President, Bill No. 1937 I would like to amend. The amendment is in front of everyone. The amendment is pursuant to discussion of last Wednesday to add the word "merchant organization" along with "community organization".

Real quick, the amendment under 608.08 will add the words "and merchant" under 608.20 "and merchant", and 608.04 add the words "litter clean up" to be more descriptive. Under 608.08 "and merchant", 608.09 "litter clean up".

Mr. Ricciardi seconded the motion.

WHICH MOTION PREVAILED.

Mr. Onorato:

First, I'd like to thank all my colleagues for supporting the bill, Bill No. 1937, dealing with the Youth Offender Work Corps. I would also ask for everyone's input when we convene the meeting which will probably be in about three weeks, maybe a month. We're just working on a date that's convenient for the majority of the people.

We will actually sit down and discuss the implementation, both through the Public Safety Department and through the Neighborhood For Living Centers, dealing with the community groups and the merchant organizations.

We've been receiving a lot of good feedback over the last few days. The school principals and School Board have been calling. They want to see this work. The Mayor wants to see it work. Lou DiNardo wants to see it work. So, the thing now is over the next three weeks let's implement the plan so we could have this up and running hopefully within the two month period and it will continue from that point forward.

But I am looking for input and I appreciate the support.

The Chair:

It's an excellent piece of legislation.

Mr. Cohen:

I'd like my comments brought forward on this bill and also to congratulate Councilman Onorato on this excellent piece of legislation. I would like to work with him to make sure that it works. It's really a good idea and I'm glad that he came up with it.

(REMARKS ON FOLLOWING PAGE)

(BEGINNING - MR. COHEN'S COMMENTS ON BILL NO. 1937, WEDNESDAY,
FEBRUARY 17, 1993)

The Chair:

My question may best be directed to the Solicitor but since Dan is a lawyer I will ask him. We certainly have the authority to direct magistrates or to give this option to magistrates. Given that district justices are county-authorized, do we still have the authority to do this?

Mr. Onorato:

Yes. We are not requiring them to do anything. This is giving them the option under state law if they want to provide community service. We're saying we will give you the supervision if you want it. So we are not requiring them to do anything. We're only dealing with the district justices within the City of Pittsburgh.

The Chair:

Okay. I think it's an excellent piece of legislation too and commend Councilman Onorato for doing it that allows these kids to do productive community work.

(END OF COMMENTS)

PREPARED BY: MARY ANNE HRUSKA
STENOTYPE REPORTER

Michelle Madoff:

Mr. Onorato, as I stated before, this is indeed a very fine piece of legislation and you're to be congratulated.

And as I've said repeatedly, this is probably one of the best Councils the City has ever seen. We are not a circus, we behave in a very orderly fashion, we operate according to Robert's Rules, and we even allow the courts to decide who will be the President of Council and we abide by common decency in that process.

My question to you is that I have been here a long time, some people would say too long, and I have seen wonderful pieces of legislation introduced and the person who introduces them really has their gut and their soul and their heart in it, and nothing happens. My concern, and perhaps you could answer the question, if the President allows you to do that, and that is what guarantee do you have from the Administration and in what method would the light duty police officers indeed be supervising these programs?

Mr. Onorato:

Director DiNardo told me right from the beginning that there might be a problem with light duty officers with the union contracts and the actual work they're allowed to perform. However, he said he will work to do whatever he can that he's allowed to do with the light duty officers and, if there's a problem, he will definitely supplement their work with the Public Safety Department being down at the Public Safety Building and providing supervision through other personnel.

He also suggested that Parks and Recreation, who supervises our summer youth in the parks, could also participate in other departments. He said that we will use the

structure that's in place, be it light duty officers or any other individual under any department.

So, my concern at this point is, even if light duty officers are removed, we still have a structure that could step in their place.

Michelle Madoff:

May I offer a friendly amendment, and you don't even have to introduce it today. You may want to wait until after you've had your meetings, give the process a couple of months to operate and perhaps then amending the bill to hire two to begin with, or one and then two and three or four as we need it because it will be cost effective if we can do something to redirect our youth, and that would be to hire some people who would be solely hired, some with psychological background, to work with these youth and to supervise them. At a later date you may wish to do that.

Mr. Onorato:

I appreciate the suggestion. I don't want to amend it today. I think that we could pull this plan off without spending any addition dollars. There's other agencies that handle what you just mentioned. This is purely a punishment providing community service and we're giving the District Justices the supervision they need and I would like to leave it at that. As simple as possible and minimize the cost.

Michelle Madoff:

I understand where you're coming from and talking about minimizing the cost. But sometimes we can be penny-wise and pound-foolish. There is not a person with half a brain that doesn't understand that if we can do something about our youth the cost to society, the savings would be tremendous.

Mr. Onorato:

This bill doesn't address that and it isn't intended to address that either. This is a punishment supervision.

Michelle Madoff:

But punishment and supervision, sometimes you can turn the youth around. You're not doing it for a giggle. You're doing it because you believe in it and you think it will help redirect some of the problems and the cost to society.

I'm suggesting that maybe we don't need to sit here constantly saying, "Gee, it won't cost us any money. And this will be without money. And isn't this a great bill because it isn't going to cost us any money." I'm suggesting that maybe somewhere along the line, I would suggest maybe wait and give it couple of months, and then perhaps come back and say, okay, we want this to work. And therefore I have no problem with hiring and asking Council to vote for one person to oversee this program, possibly two.

Let me tell you what my great fear is. My great fear is, once again, the Administration will remove police officers whether they're light duty, heavy duty, or medium duty, from their regular chores, or the Safety Department from their regular chores, and that indeed this program will look like my original tombstone which was going to say, "Laws without enforcement are an exercise in futility".

Mr. Onorato:

I'd just like to say that I don't want to give the impression that the bill does not have a clause in there about who should administer it. It will be administered through Public Safety and through Neighborhood Through Living Centers. I think that's the proper group and I would like to move forward and try it. If, in two or three months there

has to be amendments, I'll be more than happy to hear them and debate them and we'll go forward from there.

Michelle Madoff:

Will we get interim reports? How will this Council be apprised so we can represent our communities?

Mr. Onorato:

Stay tuned. In a few weeks be at the table and we'll discuss it.

Michelle Madoff:

I would like something to come in writing on a regular basis to tell us how many Magistrates have sentenced how many youths and how many have actually performed the duty.

Mr. Ricciardi:

I'd just like to say that I strongly support the bill. I think it's a good bill and it's obvious all the hard work Mr. Onorato and his diligence that he put into the bill.

My affirmative vote was conditioned on strong supervision. I received that commitment from Mr. Onorato and Lou DiNardo, the Director of Public Safety. My concern was, obviously, one of liability. If a child or a young adult would get hurt, obviously, the City of Pittsburgh would be liable and that's why the supervision clause is just so important. After speaking to Mr. Onorato and Lou DiNardo, I feel comfortable in that. It's a great bill, it's a fine bill, and I'm proud to support it.

Also,

Bill No. 1938

A Resolution entitled, "Resolution providing for an Agreement or Agreements with a psychologist or psychologists for professional psychological services for 1993 for the Department of Public Safety and providing for payment of the cost which is not to exceed Sixty Thousand Dollars (\$60,000.00) payable from Code Account 1401, Index Code 140103, Miscellaneous Services."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. O'Connor
Mr. Darkins	Mr. Onorato
Mr. Ferlo	Mr. Ricciardi
Michelle Madoff	Mr. Wagner
	(Pres't)

AYES 8 NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

MOTIONS AND RESOLUTIONS

Mr. O'Connor:

I have two business points I'd like to bring up. One, I campaigned on it and I believe you have been very active, Mr. President, and I know Councilman Onorato and I'm sure other

Councilmen have spoken at Port Authority concerning the transportation to the Airport.

I'm pleased to see in this morning's paper that the Airport Coordinator Transportation Association has put on 65 round trips to the Airport. But the good news is, the normal cost is \$10 but for employees of the Airport it will only be \$1.50 each way. This opens up a great opportunity job market that we were unable to tap in the City. Alone, just in the mall, it has 1,200 employees of the Airport. These buses will run from 6:00 in the morning on. In one case as restaurant has 100 employees; only 2 of them are City residents and they were recruited as management jobs. So I salute them for doing this and creating a lot of opportunity.

There's a \$75,000 grant that came from PennDOT that I hope Job Service would highly advertise so the City residents can take advantage of that.

My second point is not so good. I've been very concerned, and again with the Mayor's race coming up I'm sure everybody will be talking about jobs, bringing new business to the City of Pittsburgh. But I'm concerned that we're losing business. A big issue a couple of weeks in the news was Sears and now, in the Pittsburgh Business Times, Thermal Plastic which is one block away from City Hall who has 160 employees, is a national firm, does national sales, and these 160 employees are mainly, I would image, talking to the owner, mostly blue collar workers that we're striving to get, are planning on leaving Pittsburgh. It's not a done deal yet and I hope it doesn't happen. But I question what are we doing about it.

Sears has been in Pittsburgh 64 years and I think it touches each Council District. I live about two miles away from Sears. Mr. Cohen, I know, at least a mile away. Mr. Ferlo and Mr. Darkins are in that district. So it touches

everybody on the East End of Pittsburgh. They have over 200 employees there.

They're leaving but what concerns me more is I've been in touch with Chicago. I've asked for blue prints, prices, what are they doing with that building. They say they'll let us know. I've been calling for the last two or three weeks.

I've also worked with Councilman Darkins, Legislator Joe Preston and the East Liberty Development Corporation. So, they are all actively pursuing this but there's two businesses slipping through our fingers.

The point of this is, these people, including ourselves, how much clout do we really carry? In our own individual efforts, not much. I'm suggesting that the Mayor's Office has to take control of this situation. What I'm suggesting is that they should appoint immediately someone with the title of Economic Development Specialist directly out of the Mayor's Office with as much power as a Jim Turner or George Whitmer, that when these things come to our attention, that we can use them to go directly to the problem. The URA is the funnel source and they do a lot of good work too, but somewhere when we lose these we have to have somebody in that caliber right out of the Mayor's Office to address them right now. And I'm sure the new Mayor or whoever is going to campaign on this but I don't think we can wait until next January for something like this to happen.

Therefore, in a way of a motion, I would like to have a post agenda meeting and if Mike Perry could send letters to the URA, the Mayor's Office, Planning, the Chamber of Commerce, Allegheny Conference, and any other business that feels this is a strong need and Councilmembers that we can organize similar to what the Governor has, a special task force for these emergencies. But in this small City, I think

one person in the Mayor's Office whose main job and main function is to control this and work with existing businesses so that we don't lose one more job. It's nice to dream about other businesses coming to the City, but I would like to make sure we assure and assist the ones we have.

Mr. Ricciardi:

Second for discussion. I think Mr. O'Connor raises some very good points and I'm not going to belabor the point. I would just like to point out that in the Pittsburgh Code, I believe Chapter 173 or 174, Councilman Bill Robinson in 1985 enacted an Economic Development Commission to study things such as these that Mr. O'Connor is talking about.

Unfortunately, it's a dormant commission and I believe, Mr. O'Connor, if you will, if you could do research on that behalf on that chapter. And maybe we should not only talk about a position but we should talk about getting that Commission and reviving that Commission and asking the Mayor to appoint the members to that Commission.

Again, I believe it was Chapter 173 or 174.

Michelle Madoff:

In the years that I've been here I think the Councilmembers have raised that issue repeatedly. I think even you've raised it. The problem is we keep raising it, and we raise it, and we raise it, and we ask something to be done, and the Administration says, "We'll do what we please."

Your idea is an excellent one but it's not original. It has been raised here at least 20 times that I can think of. Even money put in the budget to pay for somebody and nothing has happened. That's why I keep saying that we have to, at some

point, take a firm stand to make things happen.

The problem as I understand it, having spoken to a number of business people about exactly the same concern you have about Sears, I said, "Isn't it too bad Sears is going out because business is terrible and they obviously have problems in competition?" And the people said to me, "No, that's not the problem at all." I said, "What do you mean?" They said, "Sears is staying in other communities. The reason they're closing down in East Liberty is the same reason that the Motor Court facility closed down." That is now our West Penn Center. We went in and built a beautiful building, but we didn't secure the community. We changed East Liberty, completely redid it, but we didn't secure the community. People don't go to a community that is not secure or feel safe in to shop. They don't go to Sears if they don't feel safe. And we get back to the same issue, no matter what we talk about, we get back to police. That's really what it's all about.

The economy I think is hopefully going to come back. It seems to be heading in that direction. But unless we make our absolute priority, and with the six votes that we have on Council, we seem to be unanimous in the position of police officers, nothing is going to change. And I think that takes precedent over anything.

I have no objection to you again trying to get what all of us have been trying to get for years. And, as I said before, we need some strong leadership here in this Council that says, okay, everything stops. We can't just talk about police. We can't just talk about keeping Sears. We have to say we're going to stop until the Administration does something and they've got 30 days to do it. And until we have that kind of leadership in this Council, all the rhetoric and all the hyberbole doesn't mean a thing, including mine.

Mr. Cohen:

I think Councilman O'Connor should be commended for bringing up this issue. I'm not sure there are any original ideas under the sun anymore, but this certainly is important to bring up in terms of economic development.

And I agree with him that what we need is a centralized office to be able not only to work with corporations that are considering leaving and to find out whether, in fact, the are considering leaving, but also to aggressively target businesses that may be interested in coming to the City of Pittsburgh, really both sides of it. And I'm not sure there is that centralized location in the City of Pittsburgh. The URA does some things, the Mayor's Office does some things, City Planning does some things with respect to economic development, but I absolutely agree that we need one office with all the power and authority that we can give that office to bring businesses to the City of Pittsburgh and to work with businesses that are considering leaving to try to give them an incentive package to stay.

So, I think it's an excellent idea to have a post agenda meeting to try to bring those three our four different elements to the City into one office with power.

Mr. Ferlo:

I'm all for this discussion but I feel like I'm entering the Twilight Zone again.

We've all been involved in job battles, every one of us. I've been involved as long ago as Nabisco and before that City Pride Bakery and lots of other battles that we've had. I think all of Council unanimously at one point or another has intervened and tried to help with the potential plant closing or job loss, be it a factory or manufacturer or just a commercial business. I

think we have a lot of experience and we have had repeated discussions. I don't think we need any more people added, be it in the Mayor's Office or at the Urban Redevelopment Authority or even with the Steel Valley Authority which has acted as sort of an early warning mechanism for plant closings once the formal 60 day notice goes out. I think it really gets down to leadership and how are we managing in the Mayor's Office something that's extremely important.

I certainly applaud Mr. O'Connor for raising again the issue of how does City government react and mobilize its resources when there is news and when there is information at hand that would suggest that we're going to suffer job loss.

I think there's two sides of the coin. One side of the coin is jobs lost, that's where we actually have a company already in the City that's either going to close or move, for whatever reason, and the reasons are varied. There's also the problem of the fact that we have missed opportunities. An example would be Conrail not locating in Lawrenceville as opposed to suburban RIDC Park. I think that was a failure of leadership on the part of the Mayor's Office.

We can beat a dead horse or we can refocus, once again, the discussion and I applaud Mr. O'Connor for trying to bring the discussion to a head once again. I don't think we need more staff people. I think it goes to the root of how well the Mayor's Office, with the resources that we've given them, are effectively managing this concern.

We need early intervention, we need advocacy, and we need a broad range of strategy. Sometimes it's a question, as in the case of a supermarket. We have a supermarket on Forbes Avenue in Oakland that is now experiencing financial problems that we need to intervene early, not wait until they close, but we need to

intervene early.

In the Sears example, I agree that the safety and security was certainly a contributing factor, but the fundamental loss there is one of national economic and business affecting the Sears Company. The issue is, are we going to see that as another tragedy or are we going to see that as a gleam of possible opportunity. I feel that it's unfortunate what's going on in Sears, and obviously it's a tremendous loss, but I think in the future, using Sears as an example, we need to rethink that whole corridor of Highland Avenue from East Liberty Boulevard down to Penn Center, and look at possibly a different arrangement with Sears. I personally feel that the building should be demolished and a different arrangement should be a strip mall kind of a complex with parking in the front with security similar to the Shakespeare Giant Eagle and where the Phar-Mor is located in East Liberty Station.

So, I think the issue is not that we don't have ideas. The issue is, as Bob has suggested, how are we intervening and how are we actually coalescing the energies. When I was first asked to support the creation of two Executive Secretaries in the Mayor's Office, originally it was Mr. Mistick and Mr. Turner, it was on the basis that Mr. Mistick and now Mr. Whitmer, were going to be involved in these kinds of issues.

Also, on many occasions in the past, we've had the Urban Redevelopment Authority at the table, the Economic Development Office and the former Director and now the current Director. But I think, as Mr. O'Connor suggests, it's time once again, *deja vu*, go back to that Council table, bring in the troops and try to begin to once again impress upon them the need.

I will just close. We repeatedly pushed for, and Mr. Wagner, you certainly articulated this in terms of a need for a Riverfront

Development Coordinator, what do we do after we budget it? We don't get a Riverfront Development Coordinator, albeit a wonderful gentleman, Mr. Sentz, who works in City Planning, he's a City Planner. He is not an Economic Development Coordinator that's going to bring new businesses or new housing to the riverfront. That's not his expertise. He's a great person. He has tremendous expertise in many areas.

The point is, we're preaching to the choir here in terms of the issue of economic development. This Administration has got to go. We need a new Mayor.

The Chair:

I'll be brief. Mr. O'Connor, I commend you for seeking a position here also and having a post agenda. I think it's a great idea. The more we talk about the issue, the better.

I have been a proponent of three new positions in the budget in the last several years, one of which was an Economic Development Coordinator. Council actually put in, based on my motion, in excess of a \$40,000 salary, a position of Economic Development Coordinator in the Mayor's Office back about five years ago.

Mr. Ferlo is right. When the split rule came with the Executive Secretary position, that responsibility was to move to the Executive Secretary position.

I think there's always a need for good discussion here. I would be more than happy to do whatever you want to do on this effort or others. I've had some communication with the Thermo-Plastic myself. If you want to do something together as a body in cooperation with the Mayor's Office, whatever. I think we need to try anything and everything we can within the power of Council. And I don't think we should

necessarily say that they should be doing more. I think we should look introspectively and figure out what we can do more. And I'd be more than happy to work with you in that effort.

Mr. O'Connor:

I think that's one of our problems. You're doing something, I'm doing something, probably the Councilpeople that are in that district when we're talking about Sears might be doing something. I don't say it has to be a new position but somebody in the Mayor's Office with the Mayor's clout should be there, whether it's George Whitmer or whoever, that should be their major job responsibility. And when we as individual Councilmen have an idea or want to intervene, we could go to that point person and make them responsible. We've taken a lot of heat politically for all the strikes and why we don't do more or intervene soon enough, and this point person, whether it be the Mayor herself or one of her top aides, should be at least carrying the ball for us.

The Chair:

That person today is the Executive Secretary, according to the arrangement I understand.

Mr. Ferlo:

Mr. O'Connor repeatedly refers to this Administration as the greatest thing since sliced bread. I'm saying it's time to evaluate their performance. My point is, it's not a question of giving them more resources. We've given them a lot of resources. The question is having a discussion with them about how well -- Is there anything wrong with Council evaluating the effectiveness? The voters evaluate us every four years and I think it's our job, as Councilmembers, we've provided financial resources. The issue is to evaluate the performance of the URA, to

evaluate the performance of the Steel Valley Authority that we provided funding to do early intervention, to evaluate the performance of this Executive Secretary arrangement. Personally, I don't feel that we need to Executive Secretaries. It's a waste of money. I'd rather use the money and hire a police officer.

The Chair:

There's a motion on the floor for a post agenda.

Mr. O'Connor:

With due respect, this isn't evaluating the Administration. They're leaving in nine months. In the next nine months who's going to take care of Sears and Thermo-Plastic? That's my concern. I have ideas and I think I can bring a major retailer into East Liberty but I cannot get anybody to do any legwork and support it, whether it be people in the URA who have other priorities. I think Sears is a major priority, Thermo-Plastic is a major priority. Who in the Mayor's Office is assisting us and will one of them carry the ball? That's what I'm asking for.

Michelle Madoff:

I'd like to offer a dose of reality. We've been talking about on the one hand, on the other hand. The real world is that this Administration is on its way out, and not a moment too soon. The problem is that while I agree with all of you who've stated that it wouldn't hurt us to be talking about it and trying to do something, what we need to do is target someone who hopefully wants to stay on in the next Administration, and that might be URA. That might be where we need to go and get some input. But pending the fact of a dose of hard reality, it isn't likely to happen. There is SPRC. There is the Allegheny Conference. There is the Economy League. We shouldn't forget that the City of Pittsburgh is still part of

Allegheny County and as an interim it would not hurt to turn to Tom Foerster who has done an outstanding job, Community College, he has done an outstanding job in getting us an Airport, and I think if he were appealed to by this Council to intervene because we have a lame duck Administration, I think that he would respond favorably. And I think that's where we may get some substantive help and that's something that I think we might want to think about.

The Chair:

There's a motion on the floor.

Mr. Onorato seconded the motion.

WHICH MOTION PREVAILED.

Mr. Onorato:

On a different issue, Mr. President. Last week there was a lot of discussion both in the media, the talk shows, about the Moose Building on the North Side. I think it was very unfortunate because of the way the North Side was portrayed about the old quote, "not in my backyard". What I'm talking about is the discussion that the Moose Building could possibly be sold to the Light of Life Mission.

I want to make it clear that North Side, I would match up what's in our backyard against anybody's currently. We have within a mile, mile and a half of each other Pleasant Valley Shelter, Salvation Army, Harbor Light Center, The Arc House, Light of Life, and in no way has anyone, anyone on the North Side, said that any of these places should be closed. They're run properly, they're clean, they provide a great service to this County, not to the City but to this County. The North Side has 75 percent of the homeless beds for the County, not just for the City, and I want to stress that.

The only complaint we had is that there's a balance, and there's a value to a balance of residential versus these commercial and these social services. We're saying that that balance has been met. We don't want it to tilt any further in one direction. I don't feel bad about that. We're not against the homeless. We're saying, "We did our fair share; let's spread this around the County a little more."

Right now we're working with a private group to develop the Moose Building. That deal fell through. There is one other group that the local community group is dealing with to develop the Moose Building.

There's an outstanding offer from Light of Life. I will state it again publicly that I do not think the Light of Life should buy this building. I do not think the City should sell this building to Light of Life, not because we don't want the homeless shelter there. Light of Life is already there and we want them to stay there. They have a great building and they do a great service.

But, here's the problem. People don't think this balance is shifting. Over the last year, the Lutheran Church which is on the Allegheny Center Mall Complex, it's a circle, there's Lutheran Church there. The congregation has dwindled. What happens to that Church? Somehow there was a zoning change and that Church is handed over and sold to MHMR, Mental Health and Mental Retardation. Another good organization. But, boom, there's another social program moving right into this program less than a mile from the programs I just mentioned.

If you don't think that has an effect, Residential Resources just bought three row homes in East Allegheny which is a "private group" developing properties, but their only client is MHMR. So what's happening is, it's building on each other.

If we let the entire North Side turn into a social service program, the cost to this City would be outrageous. Not only will we do a disservice to the citizens of this City, we'll do a disservice to the people that are going to these social services. I heard this from the Board of MHMR when I sat in the meeting and tried to explain about this balance we're trying to achieve. This lady looked me right in the eye and said, "Councilman, if you try to interfere, I will take you to court along with the City because we stick up for the impoverished and people that need these kinds of services."

Well, this woman, I asked her where she lived, and obviously it was in the suburbs. She doesn't have a social program near her home. The closest thing to her home is probably about 100 yards from her front driveway.

I was very, very irritated because they make it sound like we're against the homeless. Let me tell you, we're the ones struggling and dealing with the homeless every day and dealing with these people every single day. We're the ones that are giving money to the food shelters and handing out food at the food shelters. I know my colleagues here do it along with me. I resent the fact that a Boardmember from MHMR or Residential Resources or whoever is involved, coming in here and telling us what we have to do in our communities because we are doing it.

I'm asking this City that controls property to think about it. And if it takes a zoning change where we have to put in a density requirement of what can be allowed in one particular area, I think we need it.

This is the same area where we're trying to develop the Priory. We've been banging our heads for over a year. The owner of the Priory, private dollars, coming in here developing an old rectory or convent into a great hotel in the North Side. They own the Church and we can't get the

Federal Government or PennDOT to move to give them the strip of land that's been sitting there for a parking lot. But in the meantime, while we're struggling for that, we just sold three row homes to MHMR. We sold a Church to MHMR. Residential Resources have moved in. All within the past 12 months.

It's time that we achieve our balance. It's time we speak out and not be ashamed of what we do for the community. There's nothing wrong with us saying, "Enough is enough, we have the balance."

And I didn't even mention that the North Sides also includes Alcosan, which is a County function, and also Western Penitentiary. We do our social services.

We're not trying to kick these individuals out. We're saying enough is enough. And there's nothing wrong with being pro-residential also and keeping the balance. And I say to anyone out there in these radio commentaries that are saying, "North Siders don't want this in their backyard", it's already in our backyard and their good neighbors. We want them to stay but don't kick out the residential just because you want to make the North Side entire social services.

The Chair:

Thank you, Councilman Onorato.

Michelle Madoff:

On another subject. I'd like to thank Chief Dom Cimino and Inspector Bob Moffat, Bureau of Building Inspection, for expediting the demolition of 194 Plymouth Street in Duquesne Heights. The burnt out building was an eyesore and a hazard to the community and we worked with them and I'm delighted to say that they indeed did take down that building.

I also would like to address another very important issue. We had a phone call from a gentleman by the name of Mr. Jim Thomas of 112 Sanford Street, in the Esplen area, who informed me that he was unable to get out of his driveway to take his friend for a kidney dialysis because of the ice flow caused by the runoff from Esplen Street. The water and ice pose an immediate public safety hazard not only on Sanford Street but most of the other streets that run between Esplen and Carson Streets.

We went out there, my staff and myself, and Sam Tiglio and some of the local leaders of the community, Public Works, and we toured the community in Esplen with the Citizen Council. Now, because of the cold week, the ice has caused again several accidents on Sanford Street.

We are liable, Directors, the City is liable. This is not an act of God and the fact that it is on record as having been addressed previously and something wasn't done about it. We've notified you. There's notification. We are self-insured; we will pick up the liability. It's an accident waiting to happen.

So here is another example again of a letter to the Mayor, Mike, requesting that the runoff problem, whatever has to be done in that area be done immediately. If we don't do it, this Council should indeed take some action but I doubt if we would. But that's the kind of thing that I want my colleagues to understand and the residents to understand that we cannot go out with pick and shovel and actually build whatever is needed or patch the holes. That is the direct control and under the control of the Administration. And unless this Council is willing to stand up to the Administration, again, nothing will happen. Maybe some day we will have a Council that will indeed take the position that we will stand up for what is right.

Mr. Onorato moved to recess this meeting and

meet again tomorrow following Council's Standing Committee Meeting.

Mr. Cohen seconded the motion.

And on the motion of Mr. Onorato

Council recessed.

Pittsburgh, PA

Wednesday, February 24, 1993

And the time of recess having expired,
Council reconvened.

REPORT OF COMMITTEE

Mr. Cohen presents

Bill No. 2036

Report of the Committee of Finance for February
24, 1993.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 1423

A Resolution entitled, "Resolution authorizing the incurring of nonelectoral debt for the purpose of providing funds for refunding by the issuance of General Obligation Bonds, in the aggregate principal amount of \$25,000,000; accepting a proposal; providing for maturities, interest rates and redemption features; covenanting to pay debt service; pledging full faith, credit and taxing power for the payment of the bonds; appointing a sinking fund depositary; establishing a sinking fund; appropriating the bond proceeds; ratifying prior advertisement and directing further

advertisement; authorizing the payment of expenses; ratifying the preliminary official statement; authorizing approval of the final official statement; adopting a form of bond; authorizing an escrow agreement; calling bonds for redemption; authorizing the purchase of a policy of municipal bond insurance; and repealing inconsistent resolution."

Which was read.

Mr. Ferlo:

I'd like my comments brought forward on this bill.

(REMARKS ON FOLLOWING PAGES)

(MR. FERLO'S COMMENTS ON BILL NO. 1423 - Wednesday, 2/24/93)

Mr. Ferlo:

Director, as you know, I have pretty much taken a principle position on this Council in opposition to negotiated bonds as opposed to competitive. This is yet even more of a reason at this opportune time, given what I understand the market to be. I do not understand why we can't have a competitive bid. While I respect all the professional expertise that I see both in the audience and the litany of professional firms and names you have listed in this list, I still have a fundamental problem with the negotiated versus the competitive. So in principle I will be voting no on this issue today. And I have a few questions.

The bottom line, if you could explain it, because again, we just received some of this information shortly before the meeting, if you could explain what is the cost and what is the benefit in terms of the base numbers, what is the cost of issuance, all the related costs, and what is the bottom line savings for the refinancing previous debt?

Mr. Hayllar:

The savings are \$2.2 million, refinancing 1989 debt, it is like refinancing your mortgage, interest rates have gotten down, you can pay less. The savings will value \$2.2 million. I would point out that we have intentionally taken these savings next year and in 1995 so that the next Administration will benefit from the savings, and nobody could accuse us of trying to get through this budget year by refinancing. It will go to whomever the next Administration is. Those will be very difficult revenue years, so I think it makes a lot of sense.

It is a fairly simple transaction. There are great IRS limitations on our ability to refinance. We are exhausting our ability to do a future financing, escrowing the money.

Mr. Ferlo:

How do I know -- what were the costs? You said \$2.2 million. This is this 59 million of the refinancing of the previous debt?

Mr. Hayllar:

Yes, \$60 million. If you look at the back of the legislation, I think it is Schedule D.

Mr. Ferlo:

You are talking about this debt service statement?

Mr. Hayllar:

No. This is the resolution that is being amended from the table, lists the cost of issuance.

Mr. Ferlo:

Are all the costs associated with this list in this resolution?

Mr. Hayllar:

Yes.

Mr. Ferlo:

What are you pointing to? The third from the last sheet?

Mr. Hayllar:

Yes, Schedule D.

Mr. Ferlo:

What does that last figure work out to be?

Mr. Meyer:

The insurance premium.

Mr. Ferlo:

What is 35.9 basis points and total debt servicing?

Mr. Meyer:

\$378,348.26.

Mr. Ferlo:

A little over 400,000.

Mr. Meyer:

You are adding together the other numbers plus this. I would not characterize the insurance premium, honestly, as a cost of issuance. It is a cost that is --

Mr. Hayllar:

The account, it pays for itself, because by buying the insurance, we go from an A to a AAA, and that reduces the

interest rates.

Mr. Ferlo:

Ultimately it comes out of the available money that you have.

Mr. Hayllar:

Yes, but it has reduced our overall costs.

Mr. Ferlo:

How technically have you done this arrangement in terms of a payback? How is that listed in terms of the resolution? You are referring that the revenue that would be generated would come into the '94 budget year as opposed to this year. How does that actually get constructed legally? Is that some reference in the bond?

Mr. Hayllar:

It is in the sheets I gave you this morning. But basically, in '94 the interest rate for the '89 series would be reduced by between 700,000 or 800,000, and the following year the interest rate, the sinking fund requirement, will be reduced by \$1 million. So it is a direct positive effect on the operating budget.

Mr. Ferlo:

Two other questions, and I will summarize. At one point you indicated to us that all of this bond issue that is proposed is refinancing previous debt, but originally when this bill came to the table, I thought it was for a number of economic development projects. I know many Councilmembers have been lobbied recently by Carol Brown from the Cultural Trust. Is she under a false illusion that the Administration is going to be allocating some dollars for her?

Mr. Hayllar:

No. There have been a number of commitments made to the Cultural Trust. That new financing was done in October, that is new money. This is simply retiring some sold debt because rates have gotten lower.

Mr. Ferlo:

Why is the representative of the Cultural Trust coming down here lobbying for this bond issue because she needs that money?

Mr. Hayllar:

I can't speak for Carol. Carol has not spoken to me in months, so I don't know. The Administration has made commitments to several Cultural Trust projects and those commitments are being kept. In fact, we sent her money just recently.

Mr. Ferlo:

Well, between now and the final vote on this, which I realize is the next hour and a half -- obviously, I am supportive of her project. It is, from a financial point of view, it seems to make sense setting aside any issue about the Cultural Trust. I mean, purely just on her financials on that development project that she has proposed, it makes sense, and we are not going to lose money, it is a good deal. What I am confused about is I was under the impression that this bond issue has something to do and she is under the impression that this bond issue has something to do with the success or viability of that economic project.

Mr. Hayllar:

No.

Mr. Ferlo:

We need clarification on that.

Mr. Hayllar:

There is no clearer way I can say this, Councilman, to say that this is refinancing, there is no new money. The new money that the city will use in the next two years was done in August, and there is a commitment to a number of her projects.

Mr. Ferlo:

We will call her between now and final vote. Maybe one of the other Council members could add some information, shed some light on that.

Where is the updated debt service statement to Council? Is that part of the resolution?

Mr. Hayllar:

No. Once this issue is done we will update it, because we didn't want to do that until this was done, because this will, of course, materially change our sinking fund requirements and so forth. That would probably take a month or two months to go down. But after this one we will update.

Mr. Ferlo:

I guess what I continually grow concerned about, whether it is past administrations, this Administration or any future administration, is I don't ever get a sense that we are taking the long-range view about what that debt service is relative to our overall operations. It seems as though it is growing and growing and growing, even from the first five years ago when I came to Council. I realize we are refinancing at a savings, but we are growing more and more of every dollar we bring in. For every tax dollar that comes in, we only get to spend 85 cents of it, and 15 cents goes to pay debt service. It is sort of like the federal deficit. I am uncomfortable about who is monitoring from a long-range view that debt service.

Mr. Hayllar:

There are two things to keep in mind: One, as an older city we have tremendous infrastructure requirements, we must borrow in order to keep our roads, bridges and our buildings up; secondly, one of the principle reasons the debt service, as a percentage of our operating budget, has gone up, is because our operating budget has not gone up. We have been basically stagnant in the size of our operating budget, so as a proportion of our operating budget, the debt service will go up a little bit.

Mr. Ferlo:

What I am concerned about is a part of the analysis of the rating agencies looking at the city's operating budget in determining what the rating is going to be relative to this issuance. Fundamentally they look always at that issue of debt service to the operating budget. You have to have an even strategy. If the financial strategy being employed by the Administration is this continual going out on bond, be it either for refinancing or new debt, there has to be also the willingness to raise revenues and keep that balance between whatever is coming in versus what we are obligated to pay out yearly in debt service; otherwise, there will be a significant change in the rating. And at that point, then, the cost savings supposedly going to be accrued are going to go out the window.

Mr. Hayllar:

In Council, every time we come, particularly with new money offerings, there is concern about the ratio of our debt service in terms of the operating budget. And we are well within the parameters that the rating agencies consider to be acceptable. This, of course, helps us, because it is refinancing expensive debt, it is not adding new debt; in a sense, it is reducing our debt service requirements.

Mr. Ferlo:

One last question. I don't fully understand totally how the rating analysis is done, and realize this is an issuance that is solely the responsibility legally of the municipality of the city. But what does the School Board tax hike and their relative financial health, does that have any direct relationship to an analysis done by the rating agency?

Mr. Meyer:

I don't know enough of the specifics of the situation to speak directly to that. But I can tell you that in general when a rating agency is reviewing a rating of a community, it does look at other entities that have the right to tax or levy fees or charges on the same citizens that will be paying taxes on the debt that is --

Mr. Ferlo:

The reason I raised that, I do know enough about it to know that that is included in their analysis, and I am concerned at some point whether or not that is going to affect our -- in other words, a lot of times people develop the view that we are isolated to the School Board, they are on to themselves, but, in fact, our derrieres are tied together when it comes to going before the rating agencies when somebody is looking at the credit worthiness of a property owner who is going to be burdened both with municipal debt and school debt.

Are we at that point where that is going to be an issue? I don't know.

Mr. Hayllar:

It has not been raised specifically at our meetings with any rating agencies. Oddly enough, the rating agencies are more concerned about overlapping debt, the School District and the County's debt that our citizens have to bear their share of. They have a reverse altitude about taxes than we do; in fact, they think tax increases very often are good because it shows a willingness of the community to make sure their debt is paid. The rating agency's fundamental goal is to evaluate the community's commitment to paying their debt. So in that case, tax increases are good.

Mr. Ferlo:

We are talking about a city that has experienced 30 years of residential decline.

(End of remarks.)

(Transcribed by Helen L. Kriebel, Stenotype Reporter)

Michelle Madoff:

I have some questions. The question that wasn't answered was that we will never know, had we bid those bonds competitively, whether we would have had a lower rate. The media will always report, isn't it wonderful that we refinanced these bonds at a high rate of interest for a lower rate of interest and saved \$4 million. But we'll never know if we could have save \$4.5 million.

The market is crying for bonds. Bonds are selling in record time. Bonds that normally took a week or two are selling in hours. We could easily have gone out on a competitive bond. We should be going out on competitive bonds, and I think this is a disgrace.

Mr. Onorato:

One final comment because I just want to make it clear to the public.

Michelle, you're right on one issue that we might never know. But it should be clear that we are saving \$2.2 million minus the \$400,000 cost. So we're saving the City a net \$1.8 million with the refinancing. Now, the issue of how much we could have saved or would it have been less or more, we don't know. But we are saving a net of \$1.8 million and that should be clarified.

Michelle Madoff:

We always save money when we finance bonds that were at 11 percent and we go down to 5 percent. We always save money; that's a given. The question is, could we not have saved more, and we will never know.

And I will remind this Council, and end my comments, that on the printout of every bond in the State of Pennsylvania from 1986 to 1990, every single one of the negotiated bonds were off

the basis points. That's the issue. Millions and millions of taxpayers dollars going down the tubes that could have gone to the police and services and infrastructure and so on.

The Chair:

I would just like to compliment the Administration for saving the taxpayers \$2.2 million. If I had any concern with the issue, I believe that there are quality companies involved in the issue. There's minority representation with the companies. I think that's also a very positive sign. But I'd like to see even more Pittsburgh-based companies involved in the issue. I certainly support it and, again, I compliment the people involved to save the taxpayers \$2.2 million.

Is there any further discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen
Mr. Darkins
Mr. O'Connor

Mr. Onorato
Mr. Ricciardi
Mr. Wagner
(Pres't)

AYES 6

NOES 2

(MR. FERLO AND MICHELLE MADOFF
VOTING NO)

And a majority of the votes of Council being in the affirmative, the bill passed finally.

And on the motion of **Mr. Onorato**

Council adjourned.

MUNICIPAL RECORD

Proceedings of the Council of the City of Pittsburgh

VOL. CXXVII

Tuesday, March 2, 1993

No. 9

Municipal Record

ONE-HUNDRED TWENTY-SEVENTH COUNCIL

JACK WAGNER President
MICHAEL PERRY City Clerk
LINDA M. JOHNSON-WASLER.... Asst. City Clerk

Pittsburgh, PA
Tuesday, March 2, 1993

PRESENT:

MR. COHEN	MR. O'CONNOR
MR. DARKINS	MR. ONORATO
MR. FERLO	MR. RICCIARDI
MICHELLE MADOFF	MR. WAGNER
	(Pres't)

The Meeting was opened by the recitation of the Pledge of Allegiance to the Flag of the United States of America, and a moment of silent prayer for peace throughout the world.

I pledge allegiance to the Flag of the United States of America and to the Republic for which it stands, one Nation, under God, indivisible, with liberty and justice for all.

PRESENTATIONS

Mr. Darkins presents

No. 2074 WHEREAS, in 1963 Jerry Owens encouraged his two sons, Donald and Edward, to invest their skills and talents and purchase a family business; and

WHEREAS, on January 1, 1964, Eddie's Restaurant officially opened for business at 2172 Wylie Avenue and has remained at this location for 29 years; and

WHEREAS, the entire Owens family, seven sisters and two brothers, shared in the operations of the restaurant, and waitress Ida Carroll continues as the head waitress after 28 years of service; and

WHEREAS, Eddie's Restaurant grew famous for it's Louella Price homemade biscuits and affordable priced menu items attracting customers from throughout Allegheny County; and

WHEREAS, at Eddie's Restaurant you received plenty for your money; you could buy pizza for 10 cents a slice, a full breakfast for 50 cents, a bountiful spaghetti and meatball dinner, and weekly specials ranged from 50 to 75 cents; and

WHEREAS, after 29 years Eddie's Restaurant continues to serve many of the customers who shared opening day with Eddie

and his family and the restaurant still displays its original 1964 hand painted spaghetti and meatball advertisement; and

WHEREAS, Eddie and his wife, Gloria, who was a waitress at Eddie's Restaurant when they met, continue to provide the community with affordable home cooking.

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh applauds African American Edward Owens and his family for establishing a business sensitive to its community and for remaining a business that identifies with its customers, and further recognizes Eddie's Restaurant as a Historical Landmark and Pittsburgh Tradition.

Mr. Darkins moved to adopt the resolution.

Mr. Cohen seconded the motion.

Which motion prevailed.

Mr. Darkins:

Last week Mr. Owens couldn't get away from his place of business and I told him to come on anyhow because I wanted to make this presentation to him.

With a little humor in there, if you have not been there, I'm going to make sure that Councilman Ferlo, Councilman Onorato and Councilman Ricciardi to up in the Hill District and have some real good Italian spaghetti at Eddie's.

Mr. Owens:

On behalf of my family and the restaurant staff, we just want to thank the City of Pittsburgh.

We do have a slogan on our license plates that say, "You have a friend in Pittsburgh", but I

want to say like we did in the 60's and the 70's when we were winning the Pennant that we are a family and we just want to thank everybody.

Mr. Ferlo:

If Bishop Darkins is buying that lunch, we're going.

Mr. Darkins presents

No. 2075 WHEREAS, on February 26, 1993 Virginia Union University Concert Choir performs at Rodman Street Missionary Baptist Church; and

WHEREAS, the 8:00 p.m. concert is sponsored by Rodman's Music Ministry in recognition of Black History Month; and

WHEREAS, the Virginia Union University Choir has toured throughout the United States inspiring many with their combined voices, singing the word of God through song; and

WHEREAS, Virginia Union University is located in Richmond, Virginia, was founded in 1865 and is one of 117 Black Colleges in the United States.

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh welcomes Choir Director Dr. Marvin V. Curtis and the Virginia Union University Choir to the City of Pittsburgh and extends to them much success as they continue to deliver the word of God through song; and

BE IT FURTHER RESOLVED, that the Council of the City of Pittsburgh applauds Rodman Street Missionary Baptist Church's Music Ministry and Pastor Reverend Delano R. Paige for exposing the community to the rich music treasures of our African American

heritage.

Mr. Darkins moved to adopt the resolution.

Mr. Ferlo seconded the motion.

Which motion prevailed.

Mr. Darkins presents

No. 2076 WHEREAS, on December 26, 1992 Thomas E. Adams retired from Allegheny County's Tax Assessment Office; and

WHEREAS, on Friday, February 26, 1993 family and friends will express appreciation and admiration for Thomas E. Adams at a retirement dinner at the Fox Chapel Yacht Club; and

WHEREAS, Thomas' career with Allegheny County began in 1968 as an Assessor, 15 years later he was promoted to Supervisor, and in 1988 he advanced to Board Member, conducting assessment appeal cases; and

WHEREAS, simultaneously, Mr. Adams worked full time at Allegheny County and H.J. Heinz Company, he was elected to serve as Democratic Committeeman in the 14th District, and was also appointed Deputy Constable in the 12th Ward; and

WHEREAS, Thomas E. Adams balances his life with leisure activities, has a great love for listening to and composing music, playing the piano, taking long walks and riding his bicycle; and

WHEREAS, Thomas E. Adams attends Warren United Methodist Church, is a devoted husband to Geneva and their eight children: Yvonne, Karen, Joy, Kim, Thomas, Jr., Gay-Lynn, Guy and Jan, and is the grandfather of eight and great-grandfather of six.

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh recognizes Thomas E. Adams as a man who embraced responsibility with gusto, and further extends well wishes to Thomas E. Adams for a long and fruitful retirement.

Mr. Darkins moved to adopt the resolution.

Mr. Ferlo seconded the motion.

Which motion prevailed.

Mr. Cohen:

Mr. President and Members of Council, Councilman O'Connor and I are happy to present the following resolution to the Yeshiva Schools.

Mr. Cohen and Mr. O'Connor present

No. 2077 WHEREAS, the Yeshiva Schools are celebrating fifty years of serving and participating in the Jewish community and greater community of Pittsburgh; and

WHEREAS, Yeshiva has, over the years, educated thousands of young people who have entered the fields of law, business, education, medicine, science and religion; and

WHEREAS, from an initial class of only ten students, Yeshiva has grown to a student body of 400, offering a full spectrum education from kindergarten through 12th grade; and

WHEREAS, Yeshiva currently has grown and prospered under the devoted leadership of Rabbi Menachem Mendel Schneerson, the Lubavitch Rebbe, Schlita, Rabbi Yisroel Rosenfield, Executive Director, William C. Rudolph, President, and Howard Balsam, Chairman of the Board; and

WHEREAS, Yeshiva will honor John Echement, President and CEO of Integra Trust Company, Arthur Fidel, Vice Chairman of Hilb, Rogal & Hamilton, and Tom Foerster, Chairman of the Allegheny County Board of Commissioners, at its 49th Anniversary Tribute Dinner on March 10, 1993.

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh commends the Yeshiva Schools and congratulates them on their outstanding contributions to the community; and

BE IT FURTHER RESOLVED, that the Council of the City of Pittsburgh hereby declares Tuesday, March 2, 1993 to be "Yeshiva Schools Day" in Pittsburgh.

Mr. Cohen moved to adopt the resolution.

Mr. O'Connor seconded the motion.

Which motion prevailed.

Mr. Cohen:

The Yeshiva Schools really deserve much credit for having grown and prospered over the years and much of that credit goes to the two people, First Rabbi Yisroel Rosenfeld who is the Executive Director, and Donna Katz who is the Business Manager at the Yeshiva Schools.

I just want to take this time to commend you for your 49 years. Next year, I guess, will be a major gala event, but that's a long period of time in which to thrive and prosper, and you really have.

I very much look forward to your dinner which is coming up next Wednesday.

I also should mention that the Chairman of the Board, of course, is Howard Balsam and

also Billy Rudolph who is the President of the Board, have much to do with your success.

Congratulations and we very much look forward to the dinner and I want to hand it over to Councilman O'Connor to say a few words before we bring you up.

Mr. O'Connor:

Rabbi, I want to congratulate you and all the members of your Synagogue, the Yeshiva. It's an honor and a pleasure to have you as my neighbor; I only live a couple of blocks and I'm glad to be your Councilman.

I had a great day Sunday at the carnivale. There were many, many kids. It's a great event and I look forward to your dinner.

I also want to wish you luck. We are expanding there, building a new school, so it's good that these people are living in our neighborhood and thriving. It's great for our neighborhood. My niece is in the second grade and a lot of my neighbors go to Yeshiva. So, I told Anit that I would say hello to her and all of her classmates.

So, a big Mazel Tov and congratulations on the dinner.

Rabbi Rosenfeld:

Thank you so much, Honorable Dan Cohen and Bob O'Connor and all Members of Council, President of Council. We certainly appreciate the opportunity to have this beautiful recognition. I think it's really part and parcel of what we're all about. We're all part of one big large family, part of the Pittsburgh family. Pittsburgh is No. 1 and Yeshiva is No. 1; No. 1 in educating children, educating children for close to 50 years, as we just heard. We've done, we feel, a tremendous job in their education and in

preparing them for their continued future. What we're really doing is being part of preparing the world in a way so that we can lead to the pursuit of light over darkness so that ultimately we can all prepare ourselves for what we call the Messianic times when only good will prevail and we'll all be worthy of only good and beautiful things and there will no longer be anything that gets into the way of our pursuit of goodness.

Thank you so much. We really appreciate everything that you've done for us. Thanks.

Mr. Ferlo presents

No. 2078 WHEREAS, the Reverend Dr. Ralph P. Brooks, Jr. was called to be the 11th Rector of St. Andrew's Episcopal Church, 5801 Hampton Street, Highland Park, in February, 1960; and

WHEREAS, Dr. Brooks has completed the longest term as Rector in the 156 year history of St. Andrew's Parish; and

WHEREAS, Dr. Brooks is currently the longest serving Rector in the Episcopal Diocese; and

WHEREAS, the Reverend Dr. Brooks and his wife, Rae Brooks, raised five children: Debra, Shawn, Kevin, Steven and Daniel, while serving at St. Andrew's; and

WHEREAS, the Reverend Dr. Brooks and his family answered the call at the Rectory door of innumerable homeless and needy people over the years and provided for them; and

WHEREAS, the Reverend Dr. Brooks took a failing inner-city church in a time of declining membership and turned it into a thriving congregation currently with the fifth largest church school in the Episcopal Diocese;

and

WHEREAS, people came from all over and well beyond the City just to hear Dr. Brooks preach the Gospel of love and acceptance; and

WHEREAS, Dr. Brooks spent the last six years preparing the congregation for his departure and is leaving the finances and the property of St. Andrew's in a condition much improved from when he found them; and

WHEREAS, the Reverend Dr. Ralph P. Brooks, Jr., having reached the age of sixty this February 26th past, has announced his retirement from the active ministry to be effective on or about February 28, 1993.

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh, by the authority vested in us to officially recognize outstanding citizens of our City, does hereby proclaim Sunday, February 28, 1992 as "Ralph P. Brooks, Jr. Day" in the City of Pittsburgh in honor of his long and faithful service to his parishioners, and his Church, and the betterment of this City.

Mr. Ferlo moved to adopt the resolution.

Mr. Cohen seconded the motion.

Which motion prevailed.

Mr. Ferlo:

I'd like our friends from 1199 SEIU and the two nursing homes to come up here.

We have two resolutions, Mr. Wagner and Members of Council, and if you permit me I'd like to read both of them together. They're separate but they involve a similar issue and, unfortunately, a similar struggle that these folks are going through right now.

Mr. Ferlo and Mr. Darkins present

No. 2079 WHEREAS, Lemington Center, formerly Lemington Home for the Aged, has a long history within the City of Pittsburgh of providing needed health care services to indigent persons in a caring fashion; and

WHEREAS, the employees of the Lemington Center who take care of Pittsburgh's elderly and infirm population, are dedicated and giving individuals who have demonstrated a deep level of commitment and sacrifice to the community and to Lemington Center; and

WHEREAS, the employees of the Lemington Center who are represented by District 1199P, Service Employees International Union, AFL-CIO, deserve a fair contract and should not be forced to suffer reductions in their benefits.

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh officially supports the goals and objectives of the employees of Lemington Center who are members of District 1199P, Service Employees International Union, AFL-CIO, in their struggle to obtain a fair contract; and

BE IT FURTHER RESOLVED, that the Council of the City of Pittsburgh hereby calls upon Lemington Center to treat its employees in the same caring fashion it has treated the indigent and bargain around the clock in good faith with District 1199P, Service Employees International Union, AFL-CIO, to resolve their differences and to come to an agreement on a just and fair contract.

Mr. Ferlo moved to adopt the resolution.

Mr. Darkins seconded the motion.

Which motion prevailed.

Mr. Ferlo and Mr. Darkins present

No. 2080 WHEREAS, the workers who take care of Pittsburgh's elderly and infirm population in Pittsburgh nursing homes are dedicated and giving individuals who have demonstrated a deep level of commitment and sacrifice; and

WHEREAS, the employees of St. Joseph's Nursing and Health Center have demonstrated their dedication and hard work on a daily basis; and

WHEREAS, these same workers at the St. Joseph Nursing and Health Care Center are suffering an alarmingly high number of on the job injuries while providing care to our elderly and infirm; and

WHEREAS, despite the dedication and hard work, the employees of the St. Joseph Nursing and Health Care Center provide on a daily basis and, despite the fact that St. Joseph's which is owned by Mercy Health Systems earns considerable profits, the majority of St. Joseph's employees earn poverty level wages and either have no health insurance coverage whatsoever or cannot afford dependent health care coverage; and

WHEREAS, despite the fact that District 1199P, Service Employees International Union, AFL-CIO, which represents the employees at St. Joseph's, has made itself available around the clock to meet with representatives from Mercy, Mercy has hired expensive lawyers and union busting consultants and has either left early or walked out of almost every negotiating session.

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh officially supports the goals and

objectives of the employees of St. Joseph Nursing and Health Care Center who are members of District 1199P, Service Employees International Union, AFL-CIO, on their struggle to obtain a fair contract including a living wage and affordable family health care; and

BE IT FURTHER RESOLVED, that the Council of the City of Pittsburgh hereby calls upon Mercy Health Center to bargain around the clock in good faith with District 1199P, Service Employees International Union, AFL-CIO, to resolve their differences and to come to agreement on a contract which includes a living wage and affordable family health care for its employees.

Mr. Ferlo moved to adopt the resolution.

Mr. Darkins seconded the motion.

Which motion prevailed.

Mr. Ferlo:

Councilman Darkins, myself, and a lot of community folks, and certainly workers at these two institutions, supported a show of support, a picket line of concern, this past Saturday out at Mercy Health Center right up the street. We were joined by probably 20 or 30 different local union leaders.

These folks are no strangers to these Chambers. In the past they've been here on many occasions. And as I've commented in the past, if we look at our economy certainly the greatest amount of profiteering that goes on in this economy, especially over the last two decades, has been in the health care industry. That does not suggest that Lemington and Mercy and all these so-called non-profit hospitals are bulging with pockets full of money. That's not what I'm suggesting. I'm suggesting that we have workers in these two industries that deserve a decent and

fair and livable wage. We're talking about people who have families, people that in the past have worked for \$3.50 or \$4.00 an hour.

After having finally won and achieved union recognition, they have at least now the power of some unity and for the last many years they've been trying to deal fairly with these institutions. Quite frankly, even the wages that these workers make right now are wages that we would not support. We want to have a situation in this City where we don't have minimum wage and no fringe benefits. We want to create an environment in this City where people can support themselves and their families and have some decent opportunities for wages and health care benefits and for pension privileges.

I think it's very important that as a matter of public policy in this Council that we be very supportive of the efforts of these workers.

In closing, before I turn to Councilman Darkins and I introduce some of the union folks that are here, I think it's very important that Mercy Health Care Center in particular recognize that this City government, and this Council in particular, has been very supportive of this institution in the past. We've cleared property for them. We've allowed them to expand. We've supported rezoning. There was one time, many years ago, when Mayor Caliguiri actually had to hire a crane because they had a helicopter disaster there of Angel 1.

So, I just want to say to that institution that there is a concern in City government that instead of wasting money and hundreds of thousands of dollars on public relations firms and union busting attorneys and law firms, we think that money would better be spent by dealing fairly and squarely with your workers. And I might add that many of these workers obviously live right here in the City of Pittsburgh, in the North Side, in the South Side, in Greenfield, in Squirrel Hill, in

my district and Mr. Wagner's district. We're talking about our own family members here that we're trying to help defend.

At this time I would like to ask Councilman Darkins to come forward and then I would like to turn it over to Tom Hoffman who is an SEIU Field Rep. And we would also like to have a comment from Pat Gaddo from St. Joe's, she's an LPN. And also Elise Davis from Lemington Center and she's a Certified Nursing Aide. I guess they're not used to give speeches, although they were pretty good on a picket line. So I'd like to call on Councilman Darkins. Thank you.

Mr. Darkins:

I would echo everything that Councilman Ferlo has stated today and probably would be more flamboyant in regards to these employees and the union and the wages that they're receiving for so long. It has to stop that they're continuously thrown crumbs. I call it crumbs. When you see all the executives that sit on these boards, especially from Mercy, that have control over the say so and the bargaining in regards to their salaries that they should receive, its crumbs that they're throwing to them instead of giving them a piece of the cake they're enjoying at that same table.

So I echo the same sentiments as Councilman Ferlo and I stand behind St. Joseph's and also Lemington Home.

In my other capacity other than a City Councilman, when you visit these institutions as much as I do and when you see the services that are being rendered to these people that are incapacitated and not able to do for themselves, certainly these people that are employed, according to the Scriptures, a servant is worthy of his hire. And I think something should really be done so I'm behind them 100 percent.

Mr. Hoffman:

The people here today are part of a State-wide campaign that SEIU has had going on since a year ago. It's been for nursing home workers all across the State of Pennsylvania. And in the last month or two, out of the 45 homes that we started, well over half of them have settled contracts that had major improvements in wages, benefits, health and safety language, pensions, and the institutions that have been settled have been non-profits, they've been for profits. We see no reason why homes like Lemington and St. Joseph's can't do the same.

We really appreciated the support from Councilman Ferlo and Councilman Darkins this last Saturday and we certainly home as Lemington negotiates this week that they will reach a good settlement on their contract. We're very concerned about what's happening with St. Joseph's despite the fact that we, as a show of good faith, extended our strike deadline from Monday until Thursday. The employer said that they could not meet until Wednesday which gives us hardly any time to settle a contract. So we're very concerned and very disappointed and very outraged that Mercy hasn't seen fit to abide by City Council's resolution and bargain around the clock. But we really do appreciate the support from City Council and I guess I'd like to turn it over to Pat and Elise for just a second.

Speaker:

I want to thank Jim Ferlo and Duane Darkins and all the other Councilmembers for their concern and their support in our attempts to get a good contract from Mercy Hospital. I've worked at St. Joe's for 13 years as an LPN and I really love my job and I love the patients that are there and they do need our care. But we have an economic problem with our own families. We need health care, we need an adequate wage. We

don't want to have to choose whether we buy food or shoes. That's not the right thing to do.

So I want to thank all of you for this recognition and all my other workers at the St. Joseph's Nursing Center really appreciate it also. Thank you.

Speaker:

I'm from Lemington Home and on behalf of Lemington Home and myself we thank Reverend Darkins and Jim Ferlo for their support and the rest of the Councilmen for helping us get a fair contract. I have been at Lemington Home for 20 years and we need support to help us and we would like to try to get our home back. Thank you.

Speaker:

I am an LPN at Lemington Home. We have always prided ourselves in our facility to the fact that we give good quality care. We take extra emphasis on our residents because they are a heritage of Black people who have paid their dues and we think that they are entitled to good quality care.

We now are negotiating a contract which is unfair and demeaning to the employees as well as the residents. We have been talked about in the community, letters have been passed out to the community neighbors which indeed say if these people give you any problems call the police. This gives the emphasis on the employees of being vandals and is demeaning to our character, which we are not. Armed guards have been hired to protect the facility and this is also a demeaning act. We are not vandals; we are people who want a fair chance at living at wages and substandard conditions to us.

They have not bargained in good faith to us. We are managed by Susquehanna

Management Company who has brought in consultants who are averaging from \$50 to \$100 per hour. They have brought in supervisors who indeed they have brought contracts from, and they are making over \$20 an hour. This, we say, is unfair to us because they could take this money and put it back into the employees and also raise up the level of quality care they are giving to the employees.

The only thing we are asking is to remain or a higher level of dignity of living which we are entitled to. We are asking for fairness. We are asking that they treat us as people. We are asking for fairness. This is the only thing we are asking from Lemington and the management company.

We would like to say thank you. We appreciate your support. We would appreciate your faces, a show of force to say stop it, that is enough, and we are entitled to a fair contract and a decent living wage and our health care should be brought back to us. Thank you.

Mr. Ferlo:

Just in closing, we did want to send both of these proclamations off to the respective Board Members.

And I do want to point out the Lemington Home situation. This Council and past Administrations did something unusual in helping them to receive some additional monies through Councilman Darkins to help them refinance their debt. So, in both instances we're talking about institutions that this Council and this City government has bent over backwards to assist. So, we would want to be forwarding the proclamation to the respective Board Members. Thank you very much.

Mr. O'Connor presents

No. 2081 WHEREAS, February 27,

1993 marks the 92nd birthday celebration of a truly remarkable woman, Claudia Davis, who, through the life that she has lived and through her accomplishments, represents the essence of what the leader of a great American family should be; and

WHEREAS, a native of Pulaski, Tennessee, Claudia made Pittsburgh her home in 1924 and, with the passing of her husband, Claudia, left alone to raise and support their ten children, went to work for Federal Enamel as a Sunrayer, where she stayed for 18 years; and

WHEREAS, reared in the Baptist Church, Claudia, throughout her life, remained faithful to her religion, to her past-time of singing spirituals, to her church, St. John's Missionary Baptist in Hazelwood, to her community, Greenfield, where she has resided for the past 50 years, and to her children and her many grandchildren, all of whom have gone on to become successful professionals, and in all of whom she holds great pride.

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh does hereby congratulate Claudia Davis on the celebration of her 92nd birthday and, furthermore, recognizes Claudia as a role model for each of us to follow, both in our family and in our civic lives.

Mr. O'Connor moved to adopt the resolution.

Mr. Ferlo seconded the motion.

Which motion prevailed.

Mr. Onorato:

I'd like to call up William Davis, Sylvia Parker and Justine Davis.

Mr. Onorato presents

No. 2082 WHEREAS, William B. Davis, born September 25, 1917, has been married to Della F. Davis, born August 28, 1915, for fifty years; and

WHEREAS, Mr. and Mrs. Davis have two of their own children, Dale and Billy. They have also adopted two children, Anthony and Dirk and have been foster parents to Dale, Billy and Darren, who have since been adopted by other families; and

WHEREAS, the Davis family moved to Maple Avenue in 1976 and immediately touched the lives of many neighborhood youths and adults through their actions. They have since been lovingly called "Mom and Dad" by individuals throughout the community; and

WHEREAS, Mr. and Mrs. Davis are active members of the Perry Central Neighborhood Council and have participated in numerous community projects such as "Paint Your Heart Out" and the "Pittsburgh Bag-A-Thon"; and

WHEREAS, Mr. Davis has worked for the Community Food Bank since 1988, delivering bread and produce to many senior citizen Hi-Rises on the North Side in his spare time. Mrs. Davis is also a member of, and the organist for, the Pilgrim Baptist Church; and

WHEREAS, whenever neighbors are in need, whether it be for tools, help with maintenance, or they need food for their families, Mr. and Mrs. Davis are always there to help out; and

WHEREAS, in times of crisis you can always hear Mr. Davis say "that's what neighbors are for". In fact, Mr. Davis helped coin the phrase that is used as the Perry Central theme

"Neighbors Helping Neighbors!"

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh hereby recognizes Mr. and Mrs. Davis for their countless hours of community services and more importantly, for their unyielding love, devotion and dedication to making Perry Central and the City of Pittsburgh a better place.

Mr. Onorato moved to adopt the resolution.

Mr. Ferlo seconded the motion.

Which motion prevailed.

Mr. Onorato:

Mr. Davis, I want to personally thank you for adding a bright light to a neighborhood on the North Side that a lot of times gets some bad rap in the press. But, as you know and I know, there are a lot of good people in Perry Central and you're a good example and I want to congratulate you today with my colleagues.

Mr. Davis:

Number one, it's a pleasure being here. It's an honor to be called to such an important thing.

I have so much to say, so many things to say, that it would take me a lifetime to say it. But I will say this much: All my years in the North Side I worked for the people. I helped the kids. Right now, even in my retirement, I'm still helping the kids, I'm helping poor people with food, furniture, clothing, every little thing they possibly need that I know about.

My time is growing a little bit small and I had a great man to come in to take over and to help me out. Mark Brentley. A fine man, a fine President. I have to help him a thousand times

too.

I'll never stop working for the people. I'm going to work for the North Side as long as I'm there. We're going to make it right. If I don't make it right, you can't say I didn't try.

The Chair presents

No. 2083 WHEREAS, on Saturday, February 27, 1993, the Board of Managers of Soldiers and Sailors Memorial Hall and the Vietnam Veterans Leadership Program of Western Pennsylvania will sponsor a formal induction program for Walter Joseph Marm Jr. as his name is placed at the Hall of Valor in Soldiers and Sailors Memorial Hall; and

WHEREAS, Walter Joseph Marm Jr.'s life has been dedicated to military service, including service during the Vietnam War where he was assigned to the 7th Calvary, 1st Calvary Division Airmobile; and

WHEREAS, Walter Joseph Marm Jr. received several awards for combat duty, including the Congressional Medal of Honor for gallantry beyond the call of duty during a mission in la Drang Valley, Republic of Vietnam, on November 14, 1965; and

WHEREAS, 1st Lieutenant Marm, serving as platoon leader, exposed himself to intense fire from a concealed enemy machine gun in order to locate its position; and

WHEREAS, 1st Lieutenant Marm charged across 30 meters of open ground amid heavy fire and hurled grenades into the enemy position; and

WHEREAS, although severely wounded, 1st Lieutenant Marm continued the assault on the enemy position and, armed only with his rifle, killed the remainder of the enemy;

and

WHEREAS, the courageous actions of Walter Joseph Marm Jr. reduced the fire on his platoon, broke the enemy assault, and rallied his platoon toward accomplishment of the mission; and

WHEREAS, after his service in Vietnam, Walter Joseph Marm Jr. has continued to serve his country through various duty assignments and is now a Senior Army Advisor at 79th ARCOM, Willow Grove, PA; and

WHEREAS, the Hall of Valor was dedicated in 1963 as a part of the Military History Museum to honor veterans of Allegheny County, living and dead, for valor "above and beyond the call of duty".

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh extends congratulations to Walter Joseph Marm Jr. and his family on his induction into the Hall of Valor at the Soliders and Sailors Memorial Hall; and

BE IT FURTHER RESOLVED, that the Council of the City of Pittsburgh designates February 27, 1993 as "Walter Joseph Marm Jr. Day" in the City of Pittsburgh in recognition of his gallant efforts to his country in the Republic of Vietnam.

Mr. Cohen moved to adopt the resolution.

Mr. Ferlo seconded the motion.

Which motion prevailed.

Mr. Cohen presented

No. 2037 Resolution authorizing the issuance of a warrant in favor of the Commonwealth of Pennsylvania to refund a

reimbursement received from Dean Institute of Technology, Inc. in connection with a Pell Grant and JTPA funds in excess of participant cost for training paid under a contract that ended June 30, 1992. The total warrant will not exceed \$2,039.15, chargeable to and payable from the JTPA-1 Trust Fund.

Also,

No. 2038 Resolution authorizing the issuance of a warrant in favor of the Commonwealth of Pennsylvania to refund disallowed costs for Choice Personnel, Computer Tech, Program Research and Development, RDP Consulting Services and Jeff Zell Consultants from the subrecipient audit for the period ending June 30, 1991. The total warrant will not exceed \$6,172.30, chargeable to and payable from the JTPA-1 Trust Fund.

Also,

No. 2039 Resolution authorizing the periodic issuance of warrants in favor of the Commonwealth of Pennsylvania to pay the City of Pittsburgh JTPA Program's share of the statewide on-line computer system cost for the period July 1, 1992 through June 30, 1993. The total of the warrants will not exceed \$19,951.00, chargeable to and payable from the JTPA-1 Trust Fund.

Also,

No. 2040 Resolution Repealing Res. No. 197, Item F, eff. March 11, 1992, which authorized the sale of property in the 18th Ward, being a 2 story, fram-aluminum, duplex with a concrete block garage and a one car garage to the rear, located at 200 Delmont Street, designated as Block 15 L, Lot 273, to Robert J. Fulton, for the sum of \$3,000.00. The reason for the above repealing resolution is that it was discovered through the title search that the City does not have

marketable title to the property as originally submitted. (Council District #3)

Also,

No. 2041 Resolution providing for conveyance by the City of Pittsburgh of certain property, under Act No. 171 of 1984, entitled, "Second Class City Treasurer Sale and Collection Act", effective December 11, 1984.

Also,

No. 2042 Resolution providing for the filing of a petition or petitions for the sale of certain property or properties, acquired at tax sales in accordance with Act No. 171 of 1984, "Second Class City Treasurer Sale and Collection Act", effective December 11, 1984.

Which were severally read and referred to the Committee on Finance.

Mr. Darkins presented

No. 2043 Resolution providing for the rental of two (2) charter buses for elderly City residents to attend a state-wide lobbying effort in Harrisburg, Pa., on March 22, 1993 to discuss National Health Care policies with Senator Harris Wofford, at a cost not to exceed \$1,500.00, payable from Code Account 1001-1 (100115) Miscellaneous Services, Supplies and Equipment, City Council. ---**(SPONSORED BY MR. DARKINS, MR. FERLO, MR. ONORATO & MR. RICCIARDI)**

Which was read and referred to the Committee on Finance.

Mr. Darkins moved to suspend Rule 8 by providing for consideration of the bill only until or after the 8th calendar day following the meeting in which the bill was introduced so the bill will be on the agenda this Wednesday.

Mr. O'Connor seconded the motion.

Which motion prevailed.

Also,

No. 2044 An Ordinance amending and supplementing the Pittsburgh Code, Title One - Administrative by repealing Chapter 133 - Department of Environmental Services, by amending Section 119.02, **POWERS AND DUTIES OF DIRECTOR** (of Department of Public Works) by adding certain powers and duties previously under the Departments of Environmental Services and Parks and Recreation; and by amending Section 139.02, **POWERS AND DUTIES OF DIRECTOR** (of Department of Parks and Recreation) by deleting certain duties; and by authorizing corresponding changes to the City Code and City Contracts.

Which was read and referred to the Committee on Public Works.

Also,

No. 2045 Resolution amending Res. No. 959 eff. Sept. 25, 1992 entitled "Providing for a Contract or Contracts, or the use of existing Contracts for the purchase of a brush chipper for the Department of Parks and Recreation; and providing for the payment thereof," by increasing the cost from \$12,000.00 to \$12,285.00; and changing the Department and Code Account/Index Code, from Code Account 1808, Index Code 180802, Equipment, Department of Parks and Recreation to chargeable to and payable from Code Account 1708, Index Code 170803, Equipment, Department of Public Works.

Also,

No. 2046 Resolution amending Res. No.

1209, eff. Dec. 4, 1992 entitled "Providing for a Contract or Contracts, or the use of existing Contracts for the purchase of a utility vehicle for the Dept. of Parks and Recreation; and providing for the payment thereof," by increasing the cost from \$15,500.00 to \$15,627.00; and changing the Department and Code Account/Index Code from Code Account 1829, Index Code 182907, Services (Point State Park), Department of Parks and Recreation to chargeable to and payable from Code Account 1729, Index Code 172908, Equipment, Department of Public Works.

Which were read and referred to the Committee on General Services.

Also,

No. 2047 Resolution providing for a Contract or Contracts, or the use of existing Contracts, for crack sealing, micro surfacing, cold in place recycling, sawing and sealing, asphalt testing, flexible pavement, asphalt milling and truck rental, at a cost not to exceed \$2,811,734.00, chargeable to and payable from Code Account 3-01-01-0001-93, Citywide Resurfacing Program, Index Code 875047.

Which was read and referred to the Committee on Public Works.

Also,

No. 2048 Resolution providing for the letting of a Contract or Contracts, or the use of existing Contracts for the purchase of play equipment for the Department of Public Works at a cost not to exceed \$15,760.00, chargeable to and payable from Code Account 3-01-40-0060-93, Index Code 875708, Play Equipment, Department of Public Works.

Which was read and referred to the Committee on General Services.

Also,

No. 2049 Resolution authorizing the Director of the Department of Public Works to provide a License Agreement with Duquesne Light Company, 301 Grant Street, Pittsburgh, Pennsylvania to install one pole anchor on City owned property along Andover Terrace in the 5th Ward, 8th Council District of the City of Pittsburgh.

Also,

No. 2050 Resolution authorizing the Director of the Department of Public Works to provide a License Agreement with Duquesne Light Company, 301 Grant Street, Pittsburgh, Pennsylvania to install a new underground electrical system and remove an existing underground electrical system on City owned property along Allegheny River Boulevard in the 12th Ward, 9th Council District of the City of Pittsburgh.

Also,

No. 2051 Resolution authorizing the Director of the Department of Public Works to provide a License Agreement with Duquesne Light Company, 301 Grant Street, Pittsburgh Pennsylvania to install a new underground electrical system and remove an existing underground electrical system on City owned property along Greenfield Road and Pocussett Drive in the 14th Ward, 5th Council District of the City of Pittsburgh.

Also,

No. 2052 Resolution vacating a portion of Vulcan Way between East Lacock Street and Cajou Way in the 22nd Ward, 1st Council District of the City of Pittsburgh. The Department of Finance has recommended a fee of \$1,200.00 be charged for the vacation of the

same.

Which were severally read and referred to the Committee on Public Works.

Mr. O'Connor presented

No. 2053 Resolution providing for the transfer of funds in the amount of \$8,250.00 from Code Account 1132, Equipment, Dept. of General Services to Code Account 1043, Misc. Services, Office of the Mayor, Information Systems. This transfer is necessary to pay the computer equipment for the Dept. of General Services.

Which was read and referred to the Committee on Finance.

Also,

No. 2054 Resolution authorizing the Mayor and the Director of the Department of Parks and Recreation to enter into an Agreement to provide for the City's share of certain improvements to the Bellefield Boiler Plant and to transfer to Presbyterian University Hospital and the University of Pittsburgh the capacity of an additional boiler to be furnished by said Hospital and University. The City's share of the improvement shall not exceed \$6,585.00 chargeable to and payable from Code Account PCTF, Phipps Conservatory Trust Fund, Dept. of Parks and Recreation.

Also,

No. 2055 Resolution authorizing the Mayor and the Director of the Dept. of Parks and Recreation to enter into an Agreement to reflect the revised ownership interest of the City in the Bellefield Boiler Plant after the purchase of capacity by Presbyterian University Hospital.

Also,

No. 2056 Resolution Repealing Res. No. 1186 eff. Dec. 20, 1991 entitled "Authorizing the Mayor and the Director of the Dept. of Parks and Recreation to enter into an Agreement or Agreements with a bank for professional services in connection with the implementation of a Visa/Mastercard Payment Program to be instituted at Phipps Conservatory for payment of counter sales and permits at an annual cost not to exceed \$25,000.00 chargeable to and payable from Code Account PCTF Phipps Conservatory Trust Fund, Dept. of Parks and Recreation.

Which were severally read and referred to the Committee on Parks and Recreation.

Mr. Onorato presented

No. 2057 Resolution authorizing and directing the Director of the Dept. of Personnel & Civil Service Commission to advertise and conduct a 2nd Police Recruit Examination and to merge the results of the 2nd Examination with the results of the 1st Examination; and authorizing and directing the Dept. of Personnel & Civil Service Commission to mail notification and conduct a pre-test training class for all applicants.
---(SPONSORED BY MR. ONORATO)

Which was read and referred to the Committee on Finance.

Mr. Onorato moved to suspend Rule 8 by providing for consideration of the bill only until or after the 8th calendar day following the meeting in which the bill was introduced so the bill will be on the agenda this Wednesday.

Mr. Ricciardi seconded the motion.

Which motion prevailed.

Also,

No. 2058 Resolution providing for a Contract or Contracts to purchase Emergency Information System/Chemical LAN Software for the Emergency Operations Center at a cost not to exceed \$13,000.00 chargeable to and payable from PEMATF, Dept. of Public Safety, Emergency Operations Center.

Which was read and referred to the Committee on General Services.

Mr. Ricciardi presented

No. 2059 Resolution providing for the issuance of a warrant in favor of Duquesne Light Company in the amount of \$20,532.29 for reimbursement of 10% of the relocation costs resulting from the City's reconstruction of the Pennsylvania Avenue Bridge, payable from Code Account EC 86-10.

Which was read and referred to the Committee on Finance.

Also,

No. 2060 Resolution providing for a Cooperation Agreement or Agreements with The Carnegie for renovations to various Carnegie Facilities at a cost not to exceed \$250,000.00 chargeable to and payable from Code Account EC 93-570.

Also,

No. 2061 Resolution providing for a Contract or Contracts, or use of existing Contracts, to provide access by the handicapped to various City Facilities at a cost not to exceed \$75,000.00 chargeable to and payable from Code Account CDEC 89-72.

Also,

No. 2062 Resolution providing for a

Contract or Contracts, or use of existing Contracts, for the Renovation of City Council Chambers at a cost range of \$1.00 or more, but less than \$50,000.00 chargeable to and payable from Code Account EC 93-1011.

Also,

No. 2063 Resolution providing for an Agreement or Agreements, or use of existing Agreements, and/or a Contract or Contracts, or use of existing Contracts in connection with the On-Going Restoration of Phipps Conservatory and providing for the purchase of equipment and materials for said project, at a cost range of \$100,000.00 or more, but less than \$300,000.00 chargeable to and payable from Code Account EC 93-93.

Also,

No. 2064 Resolution amending Res. No. 915, eff. Aug. 30, 1990, entitled "Providing for a Contract or Contracts for the Reconstruction of Arlington Avenue from East Carson Street to Warrington Avenue, Phase III, including work on private property and other work incidental thereto; providing for a Reimbursement Agreement with the Port Authority of Allegheny County; and providing for the payment of the cost thereof", by amending Section 5 (the deposit of reimbursements).

Also,

No. 2065 Resolution amending Res. No. 821, eff. Aug. 22, 1991, entitled "Providing for a Contract or Contracts for the Replacement of the Shadeland Avenue Bridge; providing for a Reimbursement Agreement or Agreements with the Commonwealth of Pennsylvania, Dept. of Transportation; and providing for the payment of the cost thereof," by amending Section 3 (the deposit of reimbursements).

Also,

No. 2066 Resolution amending Res. No. 50, eff. Feb. 3, 1987, entitled "Providing for a Cooperation Agreement or Agreements with The Carnegie, for design and construction of the Relocation of North Shore Drive through a portion of Stadium Parking Lot #1, and the demolition and removal of an existing section of said Drive; providing for a Reimbursement Agreement or Agreements with the Commonwealth of Pennsylvania and/or the Dept. of Transportation; and providing for the payment of the costs thereof," by amending Section 3 (the deposit of reimbursements).

Also,

No. 2067 Resolution further amending Res. No. 576, eff. July 29, 1983, as amended by Res. No. 91, eff. Feb. 15, 1985, entitled "Providing for a Contract or Contracts for the Reconstruction of the Bloomfield Bridge, Phase IV, including the intersections of Bigelow Boulevard and Liberty Avenue, work on private property and other work incidental thereto; providing for a Reimbursement Agreement or Agreements with the Commonwealth of Pa., Dept. of Transportation; and providing for the payment of the cost thereof," by amending Section 5 (the deposit of reimbursements).

Also,

No. 2068 Resolution further amending Res. No. 597, eff. July 9, 1985, as amended by Res. No. 1054, eff. Dec. 22, 1987, entitled "Providing for a Contract or Contracts for the Rehabilitation of the E.H. Swindell Bridge, including necessary work on private property and other work incidental thereto; providing for a Reimbursement Agreement with the Commonwealth of Pa., Dept. of Transportation; and providing for the payment of the costs thereof," by amending Section 5 (the deposit of

reimbursements).

Which were severally read and referred to the Committee on Engineering and Construction.

UNFINISHED BUSINESS

Mr. Ricciardi:

I'd like to make a motion to untable Bill No. 1875 which reads, "Providing for the issuance of a warrant in favor Allison Park Contractors in the amount of \$60,177.89 for construction of a retaining wall for Ledgedale Street and providing for the payment thereof."

Mr. Ferlo seconded the motion.

Which motion prevailed.

Mr. Ricciardi:

Discussion on the bill. A few meetings ago Mr. Darkins and I had to leave before the vote because of an engagement we had and I believe there wasn't sufficient six votes. However, the bill was discussed and received preliminary approval at our Committee Session a few weeks ago.

The Chair:

For final approval, Mr. Perry, should we take that under Committee or under Unfinished Business?

Mr. Perry:

Unfinished Business.

The Chair:

Is there any further discussion the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. O'Connor
Mr. Darkins	Mr. Onorato
Mr. Ferlo	Mr. Ricciardi
Michelle Madoff	Mr. Wagner
	(Pres't)

AYES 8 NOES none

And a majority of the votes of Council being in the affirmative, the bill passed finally.

REPORTS OF COMMITTEE

Mr. Cohen presented

Bill No. 2069

Report of the Committee on Finance for February 24, 1993 transmitting two ordinances and sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 1955

A Resolution entitled, "Resolution providing for the issuance of a warrant in the sum of \$10,750.00 to Robert Weber and Elizabeth Weber, c/o Stanley E. Hilton, Esquire, 703 Law & Finance Building, Pittsburgh, PA 15219, in full and final settlement of alleged personal injuries regarding an accident at the intersection of Beltzhoover Avenue and Warrington Street on or about February 10, 1989."

Which was read.

Also,

Bill No. 1956

A Resolution entitled, "Resolution providing for the issuance of a warrant in the sum of \$2,500.00 to Clifford Moeller and Veronica Moeller, his wife, c/o John W. Bitonti, Esquire, Yablonski, Costello, Leckie & Chaban, 505 Washington Trust Building, Washington, PA 15301 in full and final settlement of alleged personal injuries regarding a falldown at 1017 Fifth Avenue, on or about May 17, 1988."

Which was read.

Also,

Bill No. 1957

A Resolution entitled, "Resolution providing for the issuance of a \$8,000.00 warrant in favor of Patricia Hoffman in settlement of claim for property damage."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. O'Connor
Mr. Darkins	Mr. Onorato
Mr. Ferlo	Mr. Ricciardi

Michelle Madoff Mr. Wagner
 (Pres't)

AYES 8 NOES none

And there being two-thirds of the votes of Council being in the affirmative, the bills passed finally.

Also,

Bill No. 1958

A Resolution entitled, "Resolution authorizing and directing the Mayor to issue and the City Controller to countersign a warrant in the amount not to exceed Twenty Thousand Dollars (\$20,000.00) in favor of Utica Mutual Insurance, P.O. Box 530, Utica, NY 13503 for a one million dollar Surety Bond for the City of Pittsburgh's Workers' Compensation Program, chargeable to and payable from Code Account 44 (004408) Workers' Compensation, Department of Finance."

Which was read.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen Mr. O'Connor
Mr. Darkins Mr. Onorato
Mr. Ferlo Mr. Ricciardi
Michelle Madoff Mr. Wagner
 (Pres't)

AYES 8 NOES none

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Also,

Bill No. 1959

A Resolution entitled, "Resolution providing for the issuance of warrants from time to time in the aggregate amount not to exceed \$3,000.00 in favor of various educational institutions which provide transcripts for the benefit of the City in connection with the Civil Service processing of Police Officer candidates and providing for the payments thereof."

Which was read.

Also,

Bill No. 1961

A Resolution entitled, "Resolution providing for the issuance of warrants in the aggregate amount not to exceed \$5,000.00 in favor of persons who provide professional proctoring services for the benefit of the City in connection with the administration of the Civil Service Commission's written examination and providing for the payments thereof."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. O'Connor
Mr. Darkins	Mr. Onorato
Mr. Ferlo	Mr. Ricciardi
Michelle Madoff	Mr. Wagner
	(Pres't)

AYES 8 NOES none

And there being two-thirds of the votes of Council being in the affirmative, the bills passed finally.

Also,

Bill No. 1962

A Resolution entitled, "Resolution providing for an Agreement or Agreements with various hospitals and/or physicians for professional services in connection with the administration and evaluation of medical examinations and tests for the Civil Service Commission's Medical Examination Program for uniformed and other employees and candidates for employment and promotion, and providing for the payments thereof."

Which was read.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. O'Connor
Mr. Darkins	Mr. Onorato

Mr. Ferlo	Mr. Ricciardi
Michelle Madoff	Mr. Wagner
	(Pres't)

AYES 8 NOES none

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Also,

Bill No. 1963

A Resolution entitled, "Resolution providing for an Agreement or Agreements with Consultant or Consultants for professional services in connection with the research, evaluation, validation, preparation, administration, scoring, and interpretation of Civil Service examinations, and providing for the payments thereof."

Which was read.

Mr. Ferlo:

On Bill 1963, if Councilmembers will remember, this past week there were four bills I believe, Bill 1961 on proctoring services - these all have to do with the police hiring contracts and consultants hired by Personnel and Civil Service. 1962 had to do with the medical folks that were hired for evaluation of applicants. Bill 1963 had to do with the actual company that handles the evaluation, the actual testing at the Convention Center. And Bill 1964 and the smaller dollar volume had to do with psychological testing that's provided as part of the whole application process.

I see Mr. Onorato has introduced a bill today which I'm sure will spark some debate regarding the direction to authorizing and actually direct the Personnel and Civil Service Director to have yet a second test which would involve a considerable amount of money. I

assume the intent here is to integrate those test results in with whatever took place this past week.

My concern specifically on Bill 1963, and I would like to make a motion to recommit that one bill, is because if there is a majority that is supportive of this proposal by Mr. Onorato, if we pay this in total and be resolved and just finally approve this, we have no influence whatsoever to be supportive of this resolution which will be up for debate next week. I would suggest that we recommit this bill, 1963, so that we could decide whether or not there's a majority of Council together with the Administration that's going to be sympathetic to resolving the dispute that has arisen on the manner in which the testing was done in terms of the so-called training class that only some were knowledgeable of the time and date of the so-called training class for the police test.

So, according, I'd like to make a motion to recommit Bill 1963.

Mr. Darkins seconded the motion.

Mr. Onorato:

Discussion on the motion. Mr. Ferlo, I appreciate your comments about my piece of legislation; however, I don't want my legislation to hold up anything that could possibly be construed as hindering the police hiring.

My legislation should be discussed on its own and we'll deal with the amount of monies involved with it during the discussions.

I don't want anything here recommitted based on what I submitted today. I would ask that we vote this up and keep it moving forward because I don't want Council to ever be accused of holding up the police hiring at this point, and I would request that you withdraw that motion.

Mr. Ferlo:

Just to respond, first of all, in effect the consultant has already completed their activity to a large extent. They've already conducted the test and I assume it's just a question of whether or not one more week is provided before some payment gets initiated. By the time bills are signed, they go to the Mayor's Office, they go to the Controller's Office, we're talking about a process of a few weeks before people get paid anyway.

I'm sympathetic and supportive of Mr. Onorato's resolution but I'm not going to be sympathetic if it's just grandstanding on the issue, and that's all it's going to be unless he can indicate that the Administration indeed --

Mr. Onorato:

Mr. Ferlo, it won't be grandstanding. My issue has to do with --

Mr. Ferlo:

Excuse me, Mr. Onorato, let me finish. The concern I have is that many times in the past this Council has attempted to authorize and direct key Department Directors to do various things. I don't have any assurance that this second examination will be done, but I think we have more clout and influence by holding up this bill in relation to the initial payment because if we are supportive of this second bill and if there is support from the Administration, it will be a simple matter to up the \$100,000 figure to expand the services rather than taking the lengthier time of resubmitting a bill for payment. That was my intent, not to set up a conflict or a delay which already has in effect happened.

My concern is that if there is support on this Council and ultimately within the Administration for resolving this conflict that has

arisen, it would be a lot easier just to increase the dollar value of Bill 1963 for the consultant that has been hired. That was my intent.

Mr. Onorato:

Councilman Ferlo, to use your quote, the City acts as one big checkbook. We can move money around anytime we like with five votes. I don't think that work performed by a consultant, already performed and we're going to pay for it, is going to take place to begin with. My legislation has nothing to do with that particular payment. I would say that if we have support here we will find the money and move forward with a second examination.

Mr. Ferlo:

I'll withdraw my motion to hold, but I will be voting no in this case on the bill in question.

Mr. Darkins:

I'll withdraw my second.

The Chair:

On all the bills in front of us --

Michelle Madoff:

Excuse me. I'd like to address the bill. I've had my hand up for a while, please.

The Chair:

Excuse me. We are dealing with recommitment and we just withdrew recommitment. Now we have all bills in front of us and you have the floor.

Michelle Madoff:

I would like permission to address Mr.

Onorato. Mr. Onorato, would you explain the purpose of your bill, please?

The Chair:

Excuse me. That bill is not in front of us. And truly, a justifiable reason was made to recommit and the reason behind recommitment. But that bill will be in front of us tomorrow for discussion in Committee.

Michelle Madoff:

Let me have clarification on this. Mr. Onorato, you wanted to put an amendment to the bill that exists today?

Mr. Onorato:

No. Just a new bill.

Michelle Madoff:

Why were you raising a new bill at this point?

Mr. Onorato:

I can raise a new bill any Tuesday.

Michelle Madoff:

You can raise a new bill at the end of a session but why at this point? I'm a little confused.

Mr. Onorato:

I didn't raise it. Councilman Ferlo talked about it.

Michelle Madoff:

I'm very confused.

The Chair:

If I can just clarify. Mr. Onorato has a new bill that has been handed out to all Members of Council. It relates to the other bills indirectly. It will be in Committee tomorrow.

Michelle Madoff:

And at that point you'll explain your reason. Thank you. That's all I wanted to know.

The Chair:

Is there any further discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. Onorato
Mr. Darkins	Mr. Ricciardi
Michelle Madoff	Mr. Wagner
Mr. O'Connor	(Pres't)

AYES 7 NOES 1

(MR. FERLO VOTING NO)

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Also,

Bill No. 1964

A Resolution entitled, "Resolution providing for an Agreement or Agreements with Consultant or Consultants for professional services in connection with the evaluation of applicants as part of the Civil Service Commission's

psychological assessment program for entry level Police Officers, and providing for the payments thereof."

Which was read.

Mr. Cohen:

Mr. President, I'd like my comments brought forward on these bills, the ones from last week, 1961 through 1964, particularly the discussion on the number of police, please.

The Chair:

I would like my remarks on those bills also.

(REMARKS ON FOLLOWING PAGES)

(BEGINNING - MR. COHEN'S COMMENTS ON BILL NOS. 1961 THROUGH 1964, WEDNESDAY, FEBRUARY 24, 1993)

The Chair:

I have a couple questions. Director Smith, we had a lengthy discussion yesterday in my office about the scheduling for these exams and getting the new police on the street and I hope that the Administration keeps with that schedule but I do have a question about numbers and I realize that we have discussed numbers, the number of police officers many times but it does disturb me and I'm glad Mr. Turner is at the table that even though Council passed legislation for 1275 --

Mr. Turner:

-- I understand where that confusion comes from, could I address that?

The Chair:

Let me just finish. There have been statements from the Administration of 1245 police officers and it was even restated in the paper this morning. If you can take the opportunity to clarify this please.

Mr. Turner:

The old number was 1175. We put a proposal in which then Council approved to add an additional 70 using the Community Development Block Grant funds and that took it to 1245. Then on top of that, several members of Council and then the body as a whole voted to add an additional 30 to take us from 1245 to 1275. What will happen this year and I think I understand the confusion, the police and the Public Safety Director is using 1245 as his floor. That is the number we're going to get to and then we're going to go above that and basically for the rest of the year we will be between 1275 and 1245 because just as the ebb and flow of hiring and retirements and so from his standpoint 1245 is the floor that he plans all of his deployment around. When he gets additional ones for periods of time then he's happy to have them and it gives them a lot more options. But very shortly as you know because there's 51 in the academy now and an additional 40 going on March 8th and an additional 40 three weeks after that and an additional 40 three weeks after that, etc., etc. We will be at that number and for the rest of the year we will bounce between 1245 and 1275 so I think that is where the confusion occurs. I will talk with the Public Safety Director as to whatever he may have said publicly that caused the confusion.

The Chair:

Is the Administration's position though that the authorized strength for the number of police officers for the City is 1275?

Mr. Turner:

Yes, it is and as you'll recall because of just the timing the additional 30 was not put in there for a full year because we knew we wouldn't get there and we also knew on the ebb and the flow that the number will change every day but we will bounce between 1275 and 1245 all year long.

The Chair:

We did talk about that and talked about the fact that the new police on the force hopefully will have some by the early spring and also another class by the summer. We talked about specific dates and that you want to go beyond the number of 1245 after that point but I just want to have it on the record that the Administration regards 1275 as the number.

Mr. Turner:

Again, I think the confusion is because in their minds they know 1245 is the floor that they will always have and that's how they're basing their deployment, but we will go above that and bounce between those numbers for the rest of the year. That additional 30 gives us a lot more flexibility in terms of doing that.

The Chair:

Director Smith, on Bill No. 1964 about the Psychological Assessment Program, and it's possible that Councilman Ferlo brought this up earlier but if so I just want a clarification of it because there have been problems with the psychological exam for police officers. Is this now simply a written exam, not an oral exam but a written exam that will only determine the suitability of that person to become a police officer?

Ms. Smith:

That's correct and that is the purpose of Bill No. 1964. Some small percentage of the officer candidates who take the written psychological, in order to be sure if it's a questionable result on the written, it's inappropriate to just fail them at that point so a psychologist is used to interview that particular candidate and it's a lengthy interview, they have been taken 45 minutes to 1-1/2 hours sometimes.

The Chair:

But the initial step is a written exam.

Ms. Smith:

One written assessment, that's correct.

The Chair:

Thank you.

(END OF COMMENTS)

PREPARED BY: MARY ANNE HRUSKA
STENOTYPE REPORTER

(BEGINNING - MR. WAGNER'S COMMENTS ON BILL NOS. 1961 THRU 1964,
WEDNESDAY, FEBRUARY 24, 1993)

Mr. Wagner:

Mr. Turner, then the way I interpret all that is that once you hit the 1245 limit you will continue to proceed to hire and hit the 1275 maximum limit or somewhere in between and that is when people will be permitted to retire.

Mr. Turner:

Exactly.

Mr. Wagner:

And then permitted to retire and this is a common question asked to me by police officers. It's anticipated that that process would begin before the end of 1993.

Mr. Turner:

Yes.

Mr. Wagner:

Would that be done the way I interpret your numbers in the fashion which no more than 30 police officers would be permitted to retire at a time because if you let more than 30 retire you would get lower than the 1245 number.

Mr. Turner:

You could retire more than 30, it depends on how many you're putting into the academy at the same time. But it is correct to say that at no time during this year are we going to go -- it is our policy and our plan to not go below 1245 during this year and we'll control retirements so it doesn't happen.

Mr. Wagner:

One final question which is an important question and I know the Administration has worked on but it's very important that the public hear this. When with that arrangement of hiring more police officers will the commitment to have beat officers in every neighborhood actually be in place?

Mr. Turner:

We began some of that just yesterday and actually the Public Safety Director should address this because I don't want to do injustice to it because it's too important a topic but the Mayor had approved basically a large sum of overtime money to

get that program under way now even before the recruits come in and get out of the academy so it's begun now and I'd have to get the exact timetable from them but there's a lot of time being spent on this.

Mr. Wagner:

Would you please communicate that to Council?

Mr. Turner:

Yes.

Mr. Wagner:

Thank you.

(END OF COMMENTS)
PREPARED BY: MARY ANNE HRUSKA
STENOTYPE REPORTER

Michelle Madoff:

On the four bills today that relate to the Police Department, the psychological and physical test, is there anywhere in there, may I again address Mr. Onorato since it is his Committee, is there anywhere here that there is an inclusion of the oral questioning?

Mr. Onorato:

Councilman Ferlo brought that up at the discussion last Wednesday and, if I'm not mistaken, Mr. Ferlo, you were satisfied with their answer?

Mr. Ferlo:

Absolutely. After five years, yes.

Mr. Onorato:

And that's why it was brought forward with a unanimous vote.

Michelle Madoff:

The reason I'm asking the question, and we've had some discussion on this, is that I've had a number of police officers talk to me about the oral test and how it was given and I don't know whether what they're telling me is fact or not fact but I would certainly like to know what the process is at this point, particularly to those officers that are being hired who have experience in police work previously. I want to know how they are being given the test. Was that question specifically asked?

Mr. Onorato:

Yes.

Michelle Madoff:

Okay, I just wanted to know. Thank you.

Also,

Bill No. 1965

A Resolution entitled, "Resolution Repealing Resolutions, approved on various dates, authorizing the sale of properties in various Wards of the City of Pittsburgh, in accordance with Act No. 171 of 1984."

Which was read.

Also,

Bill No. 1966

A Resolution entitled, "Resolution providing for conveyance by the City of Pittsburgh of certain property, under Act No. 171 of 1984, entitled, 'Second Class City Treasurer Sale and Collection Act', effective December 11, 1984."

Which was read.

Also,

Bill No. 1983

A Resolution entitled, "Resolution authorizing the transfer of Five Thousand Dollars (\$5,000.00) from Code Account 1401, Index Code 140103, to GTF, Index Code 252411, Graffiti Trust Fund."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

(REMARKS ON FOLLOWING PAGES)

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. O'Connor
Mr. Darkins	Mr. Onorato
Mr. Ferlo	Mr. Ricciardi
Michelle Madoff	Mr. Wagner
	(Pres't)

AYES 8

NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Also,

Bill No. 1987

A Resolution entitled, "Resolution providing for the issuance of a warrant in favor of Public Strategies, Inc., One Bigelow Square, Suite 616, Pittsburgh, PA 15219, in the amount of \$3,200.00 in payment for professional consulting services rendered to Councilman Eugene Ricciardi for the months of January and February, 1993." ---**(SPONSORED BY MR. RICCIARDI)**

Which was read.

Mr. Ricciardi:

I'd like my comments brought forward on Bill 1987.

The Chair:

I would like my comments brought forward also, please.

(MESSRS. RICCIARDI & WAGNER'S COMMENTS ON BILL NO. 1987)
(Wednesday, February 24, 1993)

Mr. Ricciardi:

Discussion. This resolution provides for a warrant to pay for services rendered to myself from a consultant that I have employed for the last three years. Some of the work that I had my consultant looking into in January and February included the gentrification bill, placing a 5 percent cap on tax assessments. We have also reviewed the Pittsburgh Code for dormant commissions and we will be reviving the private sector on cost control and renaming it. We have received initial support from the Administration, hopefully the support will be firm. Also, further research on the constitutionality of the anti-drug loitering legislation, which hopefully will come up for discussion, and I will be able to provide the research that I have. We are doing a follow-up study on the residential parking permit program. My consultant worked very closely with my staff; hopefully, we will see that there has been improved enforcement throughout the area, and some minor projects that are occurring in my area, such as -- and I will be able to present to E&C -- traffic study patterns on the Bates Street intersection in South Oakland.

Again, I believe that my productivity in terms of initiatives is a matter of record and I respectfully request that this warrant be approved.

Mr. Wagner:

I am going to vote against the warrant and state on the record I believe that there is something inherently wrong with this Council to continue to use salary dollars to pay people that are not residents of the City of Pittsburgh. We are the only department in city government where that goes on, and I believe in doing that there is a double standard in city government, in that there is a requirement by all departments to have salary dollars utilized for the purpose of employing people that reside in the City of Pittsburgh. Council this year put some additional dollars in the budget for consultants and, obviously, those dollars would be utilized and could be utilized as consultant dollars with five votes of Council for a particular project. With the use of a consultant, that consultant would not have to reside in the city. The problem here -- and it has become a very obvious problem -- is that we continue to say that people employed should be residents of the City of Pittsburgh, whether they are applicants for police or whether they work for the School Board or whatever, but when it comes to our own salary dollars, we are not following through with the same standard.

I myself have employed two consultants in the past, at both times they have been city residents. And I believe there is an

ongoing problem where this is escalating and continuing to escalate.

Mr. Ricciardi:

Just a brief response. I would just like to point out that the consultant involved does have a business in the City of Pittsburgh, which means he or she, in any event, would be paying a certain amount of taxes as having a business inside the City of Pittsburgh, including business privilege tax and the like, including rental of city property.

I would also like to make a point that we have approved nearly if not over 50 other payments, warrants, to this particular consultant. And I think there is no question on the productivity of my office and the productivity and the importance of this particular consultant in terms of the benefit that they have had to the City of Pittsburgh. Again, the person does have a business inside the city.

I would also like to point out, and we will look towards even bidding by professional service contracts that Mayor Masloff enters into, that the principles, I would venture to say, the majority of principles are not residents of the City of Pittsburgh. I will close on that. Thank you, Mr. Cohen.

(Deleted text.)

Mr. Wagner:

I will summarize. I look forward to us voting on that bill also, which I co-sponsored, and I have not brought up in this issue this individual's political relationship, but I believe I have brought up a very valid point about residency. If any member of Council can show me any salary dollars utilized by any other department of city government, of which we are talking in excess of \$200 million, that are paid to anyone that is not a city resident, please show me that. This is the only situation in the entire budget.

We cannot have a double standard in this Council. This Council, if it has salary dollars, they should be paid to city residents. This is not a city resident, this person does not pay wage tax, and any consultant hired by this Council that does not live in the city does not pay wage tax. That was the intent of this government going way back. We have asked the School Board to do the same. We have asked others to do the same. And I think we should follow the same standard.

Mr. Ricciardi:

Just 30 seconds, Mr. Cohen. Again, I have answered the question of residency and the question of businesses and types of taxes paid. I would like to note that this consultant I employ in my case, and I am sure in others, is not a political

consultant. This person has never worked on my political campaign; as a matter of fact, if you put a phone call into my treasure and chairperson, I am sure they have never met this person or spoken to this person on the phone or have never been in his company, might not even know this person. This person has never done anything, quote, "political," for Councilman Gene Ricciardi. I would like to make that part of the record.

(Deleted text.)

Mr. Wagner:

If that is the question, Mr. Chairman, I will respond. I think we have to look at each issue individually, and that is precisely what I am doing. I personally see other relationships with this particular consultant, who is a registered political consultant in the state of Pennsylvania. But I think bringing up the fact of residency for taxpayer dollars for salaried taxpayer dollars is a valid one. I believe on that issue and that issue alone, my position is a sound one.

And again, this Council cannot have a double standard in regard to other tax dollars paid by residents of this city that are utilized by this Administration to pay people that live in this city. If we want to have a double standard for this, are we going to have double standards for other issues, also? This Council has to stand up and be counted and be part of a fair system. That is precisely what I am talking about.

Now, I am not going to vote for any consultant that is not a city resident paid for by salary dollars, that is the way it is listed in the code account.

Mr. Ricciardi:

Mr. Wagner, you have for the last three years.

Mr. Wagner:

Well, I am not any longer. You are precisely right, Mr. Ricciardi, but my eyes have been opened within the last 30 days. And I believe the eyes of the people of this city need to be opened also. That is precisely what I am attempting to do right now.

(END OF REMARKS)

(Transcribed by Helen L. Kriebel, Stenotype Reporter)

The Chair:

Is there any further discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. O'Connor
Mr. Darkins	Mr. Onorato
Mr. Ferlo	Mr. Ricciardi
Michelle Madoff	

AYES 7 NOES 1

(MR. WAGNER VOTING NO)

And there being two-thirds of the votes of Council being in the affirmative, the bill passed finally.

Also,

Bill No. 2000

A Resolution entitled, "Resolution authorizing and directing the Mayor to issue and the City Controller to countersign a warrant in the amount of Twenty-Seven Thousand Thirty-Seven Dollars and Sixty-Six Cents (\$27,037.66) to the Commonwealth of Pennsylvania representing the final payment required for unclaimed funds for the year 1984 pursuant to the provisions of the Disposition of Abandoned and Unclaimed Property Act, Act of August 9, 1971, P.L. 74."

Which was read.

Also,

Bill No. 2001

A Resolution entitled, "Resolution authorizing and directing the Mayor to issue and the City Controller to countersign a warrant in the amount of Three Thousand Five Hundred Sixty-Two Dollars and Seventeen Cents (\$3,562.17) to the Commonwealth of Pennsylvania representing the initial payment required for unclaimed funds for the year 1985 pursuant to the provisions of the Disposition of Abandoned and Unclaimed Property Act, Act of August 9, 1971, P.L. 74."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. O'Connor
Mr. Darkins	Mr. Onorato
Mr. Ferlo	Mr. Ricciardi
Michelle Madoff	Mr. Wagner
	(Pres't)

AYES 8 NOES none

And there being two-thirds of the votes of Council being in the affirmative, the bills passed finally.

Also,

Bill No. 2002

A Resolution entitled, "Resolution providing for conveyance by the City of Pittsburgh of certain

property, under Act No. 171 of 1984, entitled, 'Second Class City Treasurer Sale and Collection Act', effective December 11, 1984."

Which was read.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. O'Connor
Mr. Darkins	Mr. Onorato
Mr. Ferlo	Mr. Ricciardi
Michelle Madoff	Mr. Wagner
	(Pres't)

AYES 8 NOES none

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Also, with a **NEGATIVE** recommendation,

Bill No. 2007

An Ordinance entitled, "An Ordinance amending the Pittsburgh Code, Title One, Administrative, Article VII, Procedures, Chapter 169, Warrants and Checks, by adding a new section, imposing certain requirements which must be satisfied before a warrant, authorizing payment with City moneys, may be executed." ---(**SPONSORED BY MR. FERLO**)

Which was read.

Mr. Ferlo:

I move to recommit this bill.

Michelle Madoff seconded the motion.

WHICH MOTION PREVAILED.

Also, with an affirmative recommendation,

Bill No. 2024

An Ordinance entitled, "An Ordinance supplementing the Pittsburgh Code, Title 1 - Administrative, Article XI - Personnel, Chapter 197 - Code of Conduct (known as the Ethics Ordinance), by amending Section 197.04 - Use of Authority & Public Property by adding a new subsection to prohibit the use of the City moneys to pay for certain consultants." ---(**SPONSORED BY MR. ONORATO, MR. COHEN, MR. O'CONNOR & MR. WAGNER**)

Which was read.

The Chair:

I would like my remarks brought forward on this bill, please.

(REMARKS ON FOLLOWING PAGE)

(MR. WAGNER'S COMMENTS ON BILL NO. 2024 - Wednesday, 2/24/93)

Mr. Wagner:

I don't know how anyone in good conscious could not vote for Bill No. 2024. People can sit here and take shots at me as much as they want. Obviously, within the last month I have had political attempts on me beyond anyone in the history of this city. And the public knows that and the public clearly understands that. The public clearly understand how it was orchestrated and why it was orchestrated. I don't even like to talk about it.

But I am very much disappointed that this body would embarrass this city for politics. I have said that before and I will say it again. I have no problem saying it. The bill in front of us today, 2024, reduces the potential --

(Deleted text.)

Mr. Wagner:

I am on the issue. The orchestrated issue is what I am talking about, I am going to continue to talk about. And I am saying this Bill 2024 is a solid piece of legislation. Now, it remains to be seen whether or not this Council will vote for it. But obviously, there are four co-sponsors and with four co-sponsors I believe it is a sound bill and I would hope it passes.

(END OF REMARKS)

(Transcribed by Helen L. Kriebel, Stenotype Reporter)

The Chair:

Is there any further discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. Onorato
Mr. O'Connor	Mr. Wagner
	(Pres't)

AYES 4 NOES 3

VOTING NO:

Mr. Ferlo	Mr. Ricciardi
Michelle Madoff	

(MR. DARKINS ABSTAINING)

And a majority of the votes of Council being in the affirmative, the bill was tabled.

Mr. Darkins presented

Bill No. 2070

Report of the Committee on Public Works for February 24, 1993 transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 1969

A Resolution entitled, "Resolution authorizing the Mayor and the Director of the Department of

Public Works, on behalf of the City of Pittsburgh, to enter into an Agreement or Agreements, or the use of existing Agreements, with the Commonwealth of Pennsylvania, providing for reimbursement to the City of costs for salting and snow plowing State Highways within the City limits. All such reimbursements received from the Pennsylvania Department of Transportation shall be deposited into the Liquid Fuels Tax Trust Fund, Index Code 260406."

Which was read.

Mr. Ricciardi:

I think it's appropriate under Bill 1969 if at this time I just compliment the Administration, Director Walluk, and all the Public Works employees for their fine work in snow removal and salting. I've seen a remarkable difference this year in my district and I'd just like to compliment them for their fine work.

Michelle Madoff:

I think they have an excellent Director.

The Chair:

Thank you, Councilman Ricciardi. I think part of your district is part of mine, and I agree.

Also,

Bill No. 1970

A Resolution entitled, "Resolution providing for the letting of a Contract or Contracts, or the use of existing Contracts for the construction of picnic shelters with site amenities for the Department of Public Works, payable from Code Account 3-01-04-0080-93, Index Code 875732, erect non-permit pre-fab picnic shelters, Department of Public Works, and for payment thereof."

Which was read.

Also,

Bill No. 1976

A Resolution entitled, "Resolution granting unto Leo D. Sweeney, 6867 Reynolds Street, Pittsburgh, PA 15208, his successors and assigns, the privilege and license to construct, maintain and use at his own cost and expense, a fire escape over a portion of the sidewalk of Mary Street in the 17th Ward, 3rd Council District of the City of Pittsburgh."

Which was read.

Also,

Bill No. 1869

A Resolution entitled, "Resolution providing for a Contract or Contracts, or the use of existing Contracts for the rental and repair of equipment in connection with the City of Pittsburgh's Capital Construction Division, and providing for the payment of the cost thereof." (AS AMENDED IN COMMITTEE)

Which was read.

Also,

Bill No. 2004

A Resolution entitled, "Resolution vacating Fleury Way between North Homewood Avenue and Nadir Way reserving the right of easement of a 42" sewer line located therein in the 13th Ward, 9th Council District of the City of Pittsburgh."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. O'Connor
Mr. Darkins	Mr. Onorato
Mr. Ferlo	Mr. Ricciardi
Michelle Madoff	Mr. Wagner
	(Pres't)

AYES 8

NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Mr. Ferlo presented

Bill No. 2071

Report of the Committee on Planning, Housing and Development for February 24, 1993 transmitting two resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 1835

A Resolution entitled, "Resolution authorizing a Cooperation Agreement or Agreements with the Urban Redevelopment Authority of Pittsburgh providing for the transfer to the authority of an amount not to exceed \$238,000 to be used to reconstruct part of Highland Avenue and providing for the payment of the cost thereof."

Which was read.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. O'Connor
Mr. Darkins	Mr. Onorato
Mr. Ferlo	Mr. Ricciardi
Michelle Madoff	Mr. Wagner
	(Pres't)

AYES 8 NOES none

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Also,

Bill No. 1924

A Resolution entitled, "Resolution amending Resolution No. 330, effective April 3, 1992 as amended by Resolution No. 718, effective June 23, 1992 entitled 'Providing for the filing of a Community Development statement by the City of Pittsburgh with the U.S. Department of Housing & Urban Development for a grant in connection with the 1992 Community Development Block Grant Program' so as to reduce line items in the Urban Redevelopment Authority and increase a line item in the Department of City Planning and the Department of Parks and Recreation."

Which was read.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. Onorato
Mr. Darkins	Mr. Ricciardi
Michelle Madoff	Mr. Wagner
Mr. O'Connor	(Pres't)

AYES 7 NOES 1

(MR. FERLO VOTING NO)

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Mr. O'Connor presented

Bill No. 2072

Report of the Committee on General Services for February 24, 1993 transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 1786

A Resolution entitled, "Resolution authorizing and directing the Bureau of Cable Communications to cablecast any Post Agenda Meeting which has an affirmative vote of Council

to cablecast and is scheduled immediately following Council's Regular or Standing Committees Meeting." ---**(SPONSORED BY MICHELLE MADOFF)**
(AS AMENDED IN COMMITTEE)

Which was read.

Mr. Onorato:

On Bill 1786, I have an amendment in writing in front of everyone regarding the cablecasting of the post agendas. Basically, just deleting, "a quorum must be present at the beginning" and adding "a quorum must be present at all times throughout the meeting" and also adding that the bill would become effective June 1, 1993. I make a motion to amend.

Mr. Ricciardi:

Second for discussion. It has come to my attention that Mr. Onorato has discussed this with the sponsor of the bill, Michelle Madoff, and I will be voting in support. However, I would like to make it clear for the record that if I call a post agenda, and we all know that in the past it has been the tradition of the Administration to attend all post agendas, if I lose a quorum of five that I will not be ending my post agenda for a very important issue, either City-wide or for my district. The television cameras can stop; however, my post agenda will continue and must continue.

So I want to make it clear that by supporting this, that the Administration does not get the wrong "idea" that once five leave that the meeting comes to an end. I hope I have made that clear and I hope people see my concern over these amendments.

Michelle Madoff:

My legislation that I have been working

on for over three years, maybe longer, as a matter of fact my legislation, if I may remind the public listening, to cablevise these meetings gavel to gavel, it took a long time to get that through the former Councils, and there were Members of the Council at that time and also later, namely Mr. Ferlo who believed that the public should have access to all the information possibly available to them and thought that everything should be televised. This is a compromise to televise only those cable meetings of major significance in the community and, as Mr. Ferlo is pointing out, sometimes something that's a major concern to the whole community might be an item or an issue in one community but it affects everybody and I support that.

My legislation and bowing to every concern so we could get this passed was to allow the public to have access without having to come down in the hail, the rain, the snow, the sleet, although this Council is indeed open at any time, to be able to listen in and find out what is really happening on major issues.

The Chair:

Councilwoman Madoff, I think --

Michelle Madoff:

It's my bill.

The Chair:

I know that but the amendments are up and I think you want to talk about the whole bill.

Michelle Madoff:

Alright but I would like to address the amendment too. I think my colleague points out a very important issue that indeed, and what I was getting to is that these are cablecast, the post agendas. The regular post agendas could have

one person. If you want to have a post agenda, you can do anything you want. But cablecasting has to have five members.

That gets me to the next issue. I have no problem with Mr. Onorato's suggestion that we have five members present and that at all times a quorum must be present in order to cablevise. My personal belief is that it's unnecessary and the reason why is that when we've had any major vote in the 15 years I've been here, I have never, never, not once, missed a major vote. Even when I almost had to come in by ambulance. I have never missed a major vote. And it seems to me that the sentiment of this Council is no different than mine, that they would be here on any major issue.

So, in a way it's a redundancy and unnecessary, but I'd like to take it a step further. There's an expression called "taking a bite of my sandwich". That means that if I say something and the next person says, "No, no, that's wrong, but let me tell you what's the right thing to do" and repeats what I just said, that's called taking a bite of my sandwich. When I came to this table, I said I will go back, even though there were people trying to kill this bill, and I will make sure that the cablevising of the post agendas will be identical to the Tuesday meetings, and that calls for a quorum. So there was really no differential. So, people didn't pass that, and now put in what I said already.

I have no problem for reinforcement because the art of education is repetition and if you will help me to educate this Council, I welcome that, Mr. Onorato.

The Chair:

All in favor of the amendments?
Opposed?

WHICH MOTION PREVAILED.

Michelle Madoff:

Back to the bill. I have made some statements already.

I think it's important that the public understands the purpose of this legislation. On Tuesday we vote final vote and the only time, the only time, that Councilmembers have a chance to raise significant issues to just talk in general concepts are at the Tuesday meeting at the end of the meeting.

On Wednesday we go into a multitude of issues that come before us. They're voluminous, and we only have a few minutes on each one and then, of course, if I want to ask meaningful questions about bond issues, I will get ruled out of order after a half hour. Subsequently, the issues do not get forward, issues such as the bond issue that we just voted on. I'd like to ask how many Members of this Council know that there was a \$915,000 discount on that bond. I'd like to know how many know the spread. I'd particularly like to ask the Chairman of that Finance Committee.

I, as yet, do not know whether this was indeed a good bond that was voted on or a bad bond. I am still researching that information and will get back to this Council at the appropriate time.

But if we had a post agenda meeting on that issue, the bond, \$60 million bond, or if we had a post agenda on why the cost of recycling went from \$3 to \$31, and I'm not saying that it should not, what I'm saying is that this Council should have been notified, we should have been told who got that contract, and we should have had the opportunity to ask questions. This afternoon we are having a post agenda on recycling and blue bags and so on.

Now, that meeting today should have

been cablevised so that the public will know how they personally can be affected if indeed we stop using blue bags or the one bag system or why we should or whether they would want to extend themselves to do it another way. But, of course, they're kept out of the system unless our good friendly reporters will report what happened today.

Now, the issue before us today is that all of our constituents want as much access as possible. And those enlightened Councilmembers who care that their public, and particularly their own constituents although we represent everybody, we're elected by district but we vote for everyone, want to have their constituency, the City constituency have access. This is the opportunity for them to vote to support that kind of access and I have nothing more to say about it.

The Chair:

I want to thank Councilwoman Madoff for incorporating some of my concerns into the bill and also Councilman Onorato.

Michelle Madoff:

It wasn't easy dragging and kicking and screaming to the bargaining table to enlighten you, but you're learning.

Mr. Cohen:

Congratulations, Michelle, on your persistence.

Mr. Darkins:

And I definitely want a piece of Michelle's sandwich.

Also,

Bill No. 1971

A Resolution entitled, "Resolution providing for the letting of a Contract or Contracts, or the use of existing Contracts for surface installation for the Department of Public Works, payable from Code Account 3-01-40-0054-93, Index Code 875674, play area safety improvements, Department of Public Works and for payment thereof."

Which was read.

Also,

Bill No. 1972

A Resolution entitled, "Resolution providing for the letting of a Contract or Contracts, or the use of existing Contracts for concrete repairs for the Department of Public Works, payable from Code Account 3-01-40-0050-93, Index Code 875641, Concrete Repairs, Department of Public Works and for payment thereof."

Which was read.

Also,

Bill No. 1973

A Resolution entitled, "Resolution providing for the letting of a Contract or Contracts, or the use of existing Contracts for asphalt repairs for the Department of Public Works, payable from Code Account 3-01-40-0030-93, Index Code 875583, Asphalt Repairs, Department of Public Works and for payment thereof."

Which was read.

Also,

Bill No. 1974

A Resolution entitled, "Resolution providing for

the letting of a Contract or Contracts, or the use of existing Contracts for various repairs and emergencies for the Department of Public Works, payable from Code Account 3-10-40-0040-93, Index Code 875617, Major Repairs and Emergencies, Department of Public Works and for payment thereof."

Which was read.

Also,

Bill No. 1975

A Resolution entitled, "Resolution providing for the letting of a Contract or Contracts, or the use of existing Contracts for fence repairs for the Department of Public Works, payable from Code Account 3-01-40-0070-93, Index Code 875765, Fence Repairs, Department of Public Works and for payment thereof."

Which was read.

Also,

Bill No. 1984

A Resolution entitled, "Resolution providing for a Contract or Contracts to purchase portable radios for the Bureau of Police and providing for the payment thereof."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen
Mr. Darkins
Mr. Ferlo
Michelle Madoff

Mr. O'Connor
Mr. Onorato
Mr. Ricciardi
Mr. Wagner
(Pres't)

AYES 8

NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Mr. Onorato presented

Bill No. 2073

Report of the Committee on Public Safety for February 24, 1993 transmitting two resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 1985

A Resolution entitled, "Resolution providing for an Agreement or Agreements with instructors to conduct training at the Training Academy with recruits."

Which was read.

Also,

Bill No. 1986

A Resolution entitled, "Resolution providing for a Contract or Contracts from time to time in connection with demolition and removal of condemned buildings and providing for the payment of the costs thereof."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. O'Connor
Mr. Darkins	Mr. Onorato
Mr. Ferlo	Mr. Ricciardi
Michelle Madoff	Mr. Wagner
	(Pres't)

AYES 8 NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

MOTIONS AND RESOLUTIONS

The Chair:

We have a post agenda at 2:00 p.m. sponsored by Councilwoman Madoff pertaining to blue bag recycling in Pittsburgh.

Michelle Madoff:

Who is going to chair that meeting this afternoon? Are you chairing it?

The Chair:

No, that is your post agenda.

Michelle Madoff:

Fine. And we have a consultant coming in, an independent consultant, recommended by GRIP, Group For Recycling In Pennsylvania. They are experts. They do nothing except dealing with recycling. That's they're exclusive menu and I think it would be important that we find out what's happening in 1993 in light of the fact that I was accused of walking out on my own previous meeting. I wasn't going to sit and listen to the Administration using McCarthy tactics and screaming at me that I wasn't telling it the way it is. Therefore, we'll have an independent person do it and enlighten Council. I don't even know what they're going to say but we will learning something, I am sure. And Don Berman will be there.

That leads me to the most important issue which is that the Administration has got to stop, and I'm approaching the Chair on this and my colleagues, the Administration has got to stop dividing this Council meaning, on the "B" contracts they schedule meetings in private, the media wasn't invited, to brief us in sections of four, three, two, whatever they can pull off. I originally was going to go to it under duress and I would have been the fifth, so they got someone not to come on the "B" contracts. On the recycling, they had Don Berman come again listing him as "an independent consultant". Don is an old friend of mine, hardly independent.

It also goes to the issue of again they try to have briefing meetings in private. I don't know who attended it. I didn't and I hope some of my colleagues did not attend. This should all be done in public. It has got to stop. And I'm going to check with my attorneys to find out what recourse we have because I believe if you talk about violation of the Sunshine Act, they're not violating it in the sense that they're not having five present. There's no reason on open information that the public is entitled to not to

have those meetings right here. And if they're important enough to call private sessions to have them cablevised.

I think that that is a disgrace. Nobody talks about it and that's not where I will operate from.

Mr. Ferlo:

On a couple unrelated issues. First of all, Mr. Wagner, I think you need to clarify the public hearing in terms of the billboard issue. It has been rescheduled a few times. The Planning Commission is running late. It will be another two or three weeks before they have a report and recommendation. There was a formal public hearing televised set for April 22nd. I believe the industry has communicated to you that they had a problem with that date because of out of town conferences and that's fine with me because I don't want to deny anybody's participation in the hearing. But I would hope that possibly in the middle of April we could move on that and try to move this legislation along.

The Chair:

I wish it were over, quite frankly. We've rescheduled it three times and I guess we have to reschedule it a fourth. I will accommodate your wishes and the wishes of the people that wrote the letter. I believe that's either moving it up a week or back a week, one way or the other.

Mr. Ferlo:

If we could know that soon so I could get yet another mailing out to the people. And I want to thank the Clerk's staff for making all those calls and getting back to people. Thanks for that information.

On a couple other notes, I don't know if we've had some reporters locally have frontal

lobotomies but there are two articles recently, one is by Margie Romero from the "In Pittsburgh" and the other is my illustrious pinheaded political pundant, Mr. Paul Long. Both of them have to do with the issue of graffiti.

How these two reporters have extrapolated the articles and the comments they made from my actions of yet just a few weeks ago — Let me just recap very quickly. My actions have to do with City Council and this Administration passing a law trying to get a handle on the problem of graffiti vandalism, not Van Gogh murals, graffiti vandalism on private and public property that has destroyed property, that has cost property owners as well as the City in the amount of hundreds of thousands of dollars around the City. It is a problem. It is a manageable problem that, if we have a coordinated campaign including enforcement, we can begin to get a handle on.

It is not as important as drive-by shootings; I've never stated that. It's not as important as the issue of police manpower levels and beat officers; I've never stated that. I've never stated all the things that Mr. Long in his myopic brain envisioned and talked about in his editorial the other night.

Margie Romero's article in "In Pittsburgh" is just unbelievable. Both of these pundants basically have encouraged people who engage in graffiti vandalism.

So I encourage all those Dr. Scan and CESNO and Prime and Diesel and all those other taggers out there, I would encourage you to go to 400 Ardmore Boulevard. It's Channel 4's building, it's a very pretty building, and I would hope that you engage in your artwork on that building. And also at the "In Pittsburgh" headquarters. In fact, I would suggest that you leave the great City once in a while and go out to Paul Long's home and engage in some of that

artwork on his property and maybe he'll begin to appreciate the seriousness of this problem.

So, I wish that they would reform their ways, get the cobwebs out of their ears and their brains, and start looking at the issue and not be so inclined, because I happen to speak about it at issue, that automatically I've done something wrong or something inappropriate.

Having said that, I do want to criticize yet another reporter. I like to take on these reporters when they engage in absolutely outrageous activity, and that's my good friend, Mr. Barnes from the Pittsburgh Post Gazette. We have a newspaper that is supposed to be the morning of a new era; I think it's the morning of a new error. This past Saturday, our good friend, certainly Michelle's best friend, Dr. Hayllar from the Finance Department, and I'm disappointed in him because he engaged in an outright lie, and I want to put that to rest.

Dr. Hayllar was quoted in that paper as saying relative to the issue of Council postage, I find it interesting that only myself and the Councilmembers that were part of this so-called democratic vote recently that we took on the Presidency issue, we were the only ones mentioned. You would have thought that my good colleague, Mr. Cohen, who I know is a very hard working Councilman in his district, never took the time to mail anything to his district. I don't think that's the case.

But I find it interesting that Mr. Hayllar would engage in an outright lie and I want to put to rest his comments in that paper. He said that of some letters that I sent out last month, he didn't know what they were because they were sealed envelopes and he didn't open them. Well that's an outright lie. Of the 1,500 letters that went out last month from my office, it had to do with this graffiti campaign, it had to do with a targeted mailing in Stanton Heights. In support of

community organizations there was a town meeting there in December with the Administration and the Police Bureau and the Human Relations Commission. It was a targeted mailing. It was sent out on behalf of the two neighborhood groups there to residents in Stanton Heights regarding some recent racial problems that existed recently. Thirdly, there were some mailings to community groups and other interested parties pro and con who have been involved in this whole billboard public hearing process and who want to have an opportunity to speak to Council.

None of those letters went out in sealed envelopes. All of them, pursuant to the request from the Mail Room Department, they have a contract with a company that sends out the mail bulk rate for the City. They specifically request that when you prepare that mailing you do not seal it. You only turn over the flaps on the envelopes. That's the way that mail is prepared.

So I just want to let Mr. Hayllar know that he is an outright liar and I resent it.

And secondly, I want to give him permission that if Jim Ferlo or anyone in my office sends any mail out through the City system, whether it's opened or unopened, whether it has a stamp or no stamp, he has my permission to open it because anything I do is public knowledge. All of it has to do with issues and things that I'm fighting for in my district and trying to get this Administration to deal with. So he has my permission to look at my mail whether it's opened or unopened. But the mail in question, he knows perfectly well was open, he could have looked at it. In fact, if he wanted to take the time I'll gladly show him the mailings I did. I wish he would stop engaging in this kind of activity.

And I wish Tom Barnes in the future, when he attacks a Councilmember vis a vis a henchman like Mr. Hayllar, would at least

provide the opportunity to the Councilmember to be called to respond to the information.

Mr. Ricciardi:

I'd like to chime in on the graffiti issue and state why graffiti removal is just so important here in the City of Pittsburgh. There are different planning studies throughout the country that have shown that when graffiti acts up or vandalism of property begins to occur, it's only the beginning of a downward spiral for the neighborhood, in terms of investments also and in terms of appreciation of one's property.

I also would like to say that graffiti removal is so important because, as we all know now, there are gang members using graffiti as their billboard in order to send messages to others. But most important, in order to actually have a hit list. And two of our County Jail Guards have learned that the hard way because their name has appeared.

We have to remove graffiti as it begins and I think Mr. Ferlo, I know Mr. Cohen, I believe Mr. Onorato and others, have addressed this issue. And I will continue to support them. And it's just so disappointing that others, especially people in the media, would just make a joke out of it or really try to demise it on cute comments. Graffiti removal is important. It's not only a war on vandalism, on graffiti, but it's also wiping out the billboards that gangs have sprung here throughout the City of Pittsburgh.

Mr. Cohen:

I did not see the two news stories that Councilman Ferlo mentioned, and Councilman Ricciardi as well, but he's absolutely right that we do not have a coordinated campaign when it comes to graffiti. And the only time that I can remember in recent history that we've actually caught somebody who has been a graffiti vandal

was when Councilman Ferlo brought up the CESNO case and put money into the Graffiti Trust Fund, I believe from his own pocket, to make sure that we catch that person. That person was in fact caught.

So, it's through publicity that it makes it happen and it is too bad that we do not have a coordinated graffiti campaign. The fact of the matter is, it is getting worse. Graffiti is getting worse in my district, it's getting worse I think in everybody's district, and it does relate to crime because where you have graffiti, that is often the beginning of a hotspot for a crime area. And we need a coordinated campaign.

Mr. Ricciardi:

I'll be brief, Mr. Wagner. Several weeks ago we requested information from the Administration concerning the Weed and Seed Program, a program we've all supported. I'd like Mr. Perry to send a second request on that.

Also, in the past I have commended Mayor Masloff for a crime control package that she presented to this Council and to the City of Pittsburgh. I think it addressed crime on different levels, both City, State and Federal initiatives, all the way from an anti-drug loitering legislation here from the City to sentencing guidelines, to sentencing guidelines such as for crack dealers.

I would just like to make a request in the form of a motion that the Administration relay to this Pittsburgh City Council any and all progress that she's made on the City, County and State and Federal level for the crime control package submitted several months ago.

Mr. O'Connor seconded the motion.

WHICH MOTION PREVAILED.

Mr. Ferlo:

Very briefly, Mr. Wagner and Members of Council. I think a number of Councilmembers have received, I guess it could be described as an internal memo being circulated around the Police Bureau. It generally has to do with the issue of foot patrol and beat patrol. But it specifically relays a number of incidents that have occurred over the last four or five weeks that are certainly alarming but suggest very importantly that police officers now, more than ever before and certainly those that are assigned to foot patrol, have to really be on guard. The report conveys some very serious incidents involving police officers approaching either automobiles or individuals where very clearly some heavy duty guns were involved or could be involved.

I just want to say, and I would like to make it in the form of a motion, obviously this Council has lobbied long and hard for additional police, for community oriented policing, and certainly for foot patrol being assigned to specific targeted areas. But I also think, and I would like to make it in the form of a motion, that we send a letter to the Police Chief and to the Mayor and Director DiNardo that certainly in those areas that can be characterized as drug zones like, for instance, the Larimer Avenue corridor, that hindsight is 20/20. I saw a good friend and officer on Carson Street as part of the community patrol recently, he was on TV and I happened to see him, he works part-time at the Food Gallery in ShadySide.

I think there are critical differences between some of these zones and the beat patrols that the officers are walking and I would just ask that we communicate a letter to the Administration that very strongly requests and authorizes, whatever word we want to use, that in those areas where foot patrol has been assigned voluntarily or with forced overtime in those targeted high crime areas, that there be one more

additional officer, that there be some coordinated network of back-up as opposed to just one lone officer engaged in walking the beat.

I don't think we want a situation where we're all here after a tragedy, and then we start saying well, maybe we should have had additional back-up. I think President McNamara from the FOP, speaking on behalf of his rank and file, I think has addressed this issue. I think it's appropriate, and I would just like to make that in the form of a motion that we communicate to the Administration and we ask that the Director evaluate the various patrols and try to define those that are higher crime and problems in terms of potential weaponry, and that they make sure that there is more than one officer involved in that patrol.

Michelle Madoff seconded the motion.

Mr. Ricciardi:

Discussion. Obviously I support the motion but I believe our Police Department, Police Bureau, is doing that right now. I know I have attended several meetings in my district looking for the hotspots, working with community groups, and working out a plan where the beat officers would be located, the days and the times.

So, again, I'll support the motion but I believe it's being done by the Director, Lou DiNardo, and others.

Mr. Ferlo:

Let me clarify. I'm not disputing the fact, and I've been a part of this, obviously, all of us have, and I'm not disputing the fact that the Department finally is working with the Block Watch groups and Councilmembers and trying to define where these foot patrols need to be. I'm not raising that as an issue. I'm saying that where that

foot patrol is in areas such as, and I hate to pick on the Larimer Avenue corridor, but the Larimer Avenue corridor in terms of shootings and the incidents there is fundamentally different than the Carson Street corridor, by way of example, as it relates to whether or not one officer, one lone officer is out on that foot patrol as opposed to more than one officer doing coordinated beat patrol.

I'm saying that it's not enough to just say that we're going to assign people; I think in those areas where there's a strong likelihood that some harm can come to that officer and that he or she may actually even be targeted by some gang-related individual or individuals, that it's incumbent upon us to insist that there be back up and that it be more than one person involved in that foot patrol. That's the basis of what my communication is, not getting into the whole issue of general foot patrol, which they are already initiating.

Mr. Darkins:

Same issue. I think that my colleagues on Council, not that I want to be the example, but I think my colleagues on Council should do as Councilman Darkins has done in regards to the beat patrol. I've had two experiences where I have walked the entire beat with the patrolman. And I think that we should get a taste of that a little bit because, not that I'm saying people in the 9th Council District don't know that I'm the Councilman, but I think it helps a more collaborate effort in what we're all about. We can come to this table and continue to talk about beat patrol but I think as Councilpeople and representatives it wouldn't hurt for you to - This is just a suggestion on this question right now, this discussion.

Michelle Madoff:

I assume that my colleague, Mr. Ferlo,

was referring to the story that appeared I believe in yesterday's paper about the police officer who was asked whether, in order to get overtime, he would walk the dangerous beats at night. He discussed how the reaction from his wife when he told her that he was going to do this and she was appalled, they have two young children. I think that Mr. Ferlo is speaking for all of us when he says that nobody wants to see a tragedy and we'd like to head it off. And without question, in areas that are impacted with better than the normal number of crimes on an on-going basis, we should have two patrol officers, two beat officers, walking the beat. And I think if we don't do that we're going to live to rue the day. I think that ought to be addressed immediately and I support his position wholeheartedly.

The Chair:

In regard to the motion I'd just like to comment. I also have been out with Commanders and police officers and detectives and gang control, riding with them and looking at the situation. And some of the things that we're talking about today really are interrelated. There is graffiti on walls with badge numbers of police officers on it, with the initials R.I.P., Rest In Peace, and certainly there are higher potential risk areas in the City than in others.

I agree that we need to make sure that we take every precaution with a police officer, not only having back up but possibly two officer walking the beat. And something that I've always talked about, which is additional K-9's in high crime areas. We don't have enough K-9's in this City and those K-9's should be made available in the more hazardous areas, the more dangerous areas of the City, whether it's one officer in that neighborhood or two or three or whatever. I think it's a tremendous deterrent to crime and I would just ask Mr. Ferlo that that be made part of the motion, that in addition to multiple numbers of officers but also K-9's.

Mr. Ferlo:

Absolutley.

Michelle Madoff:

Before we vote on it. We've all ventilated and we've all had our say on it, but what is going to happen? What action are you going to take? Are you going to hold a press conference? Are you going to talk to the Mayor? Are you going to stop some of the business of Council or the Mayor's business until she agrees to protect those people? Are we just going to sit here as representatives of the public and say, "Wouldn't it be nice?"

The Chair:

I don't think we're hear pointing a finger. We're talking about an issue and we're giving our opinions and suggestions.

Michelle Madoff:

I don't think this is an original idea. You don't have to have a pea-brain to see that in these areas that there should be two people. And it should not necessarily be someone who is already done duty and is doing overtime. That doesn't take a genius.

The question is that the Administration did nothing about police. They denied there were even gangs. It was this Council verbalizing over and over and over again that made them come to their senses and say they better do something because we weren't going to stop.

Now, at this point we need to take some very serious action, to write a letter or have you go over, you're our leader at the moment, to go over to the Administration and to say that we want to know if you're going to protect those

police so the taxpayers don't have the burden of a liable suit or we lose the life of a police officer. And report back to us. And if they say no, they're not going to do it, then we decide what other action we're going to take. It's polite. We'll send a letter, and then we'll send a request, and then we'll send another request, and then two months later we'll send another request. It doesn't cut it.

Getting the police we are now getting took too long. I raised this issue of crime in the streets, that we were at war, the issue of bringing in the National Guard, over two years ago. Everybody said I was nuts. I wasn't nuts. I just saw red, had my eyes open, and knew what was going on in the streets.

Now there's a serious crisis. We've got police officers with young families patrolling beats where they should have back up. There should be two. And we just can't politely say to the Administration, "This is sort of a wish we'd like you to take care of, or it's an idea." We've got to be able with the six votes that we have on this Council which has brought about all the changes to say, "We'd like to know by next week what you're planning to do."

The Chair:

We have a distinct motion on the floor and a second.

Michelle Madoff:

I'd like to amend the bill with a time frame of one week.

Mr. Ferlo:

I would hope by the next time we meet, Mr. Wagner, that we can get a response. This is not something that the Administration doesn't care about or isn't thinking about. We're just putting it out there and we'd like some response

by next Tuesday's meeting

The Chair:

I believe there are people in the Administration concerned about this issue. And, Councilwoman Madoff, if you're saying that I'm not, I would ask you to come to my office after the meeting and I'll share with you the number of letters pertaining to police hiring, K-9 dogs, etc., etc., over the years. And, believe me, my urging of more detectives and narcotics, a number of other issues in Public Safety are there today because of my urging over the years.

Clearly, I believe that's not the issue here. The issue is, what is the will of this Council?

Michelle Madoff:

The will of this Council is to bring about change.

The Chair:

That's right. And I think we should permit change to occur in our opinion on this issue to move forward. That's what I believe the intent is of the body.

Michelle Madoff:

I would disagree and I would think that the intent of this body is to bring about change and change doesn't happen because you write letters. Change happens when the leader of our body, elected by us says, "Okay, what action are we going to take as a body? Are we going to stop the Administration's bills until they listen to us?" and not wait a year or two years or three years.

The Chair:

I would ask you to join me when I ride with detectives, which I've been doing for years.

Michelle Madoff:

I ride with the police. I talk to them all the time. I know what's going on and I've told the public and told you what's going on. You're too slow to move on it.

The Chair:

Councilwoman Madoff, I would suggest that you tune in on this issue. And I think that's what your colleagues are suggesting also.

Michelle Madoff:

I think the public and my colleagues know what I'm saying.

Mr. O'Connor:

I think we're all in the right direction. I commend Mr. Ferlo for his idea. And I agree; I think we need a response back as soon as possible what their plans are to protect these policemen in especially the high crime areas.

But I'd like to hear from the experts. I was just thinking, and I'm certainly not an expert in beat patrol, but possibly if one policeman is walking the beat and the other one might be right across the street in a car. That way he's mobile. Again, these are just ideas that maybe we should let the experts tell us the best way to use this manpower. Mr. Ferlo, I'm not talking about down the road; I'm talking about right almost with him, making him mobile. Again, I'm not a policeman, I know nothing about these things, but I'd like to have a response back. I think everybody is in agreement what we want to do, but I'd like to leave it up to the experts, including the FOP, how they feel to protect their men.

The Chair:

All in favor of the motion? Opposed?

WHICH MOTION PREVAILED.

Michelle Madoff:

On another issue. I would like to schedule a post agenda on the most recent bond, the \$60 million bond, the questions the public never heard me ask including, as I pointed out before I was cut off, that we were on a bond that had no recall and the fact that we've now just learned that we gave a \$915,000 discount on the bond. And I just also learned in attempting to buy the bonds deliberately to find out what they're selling for, the bonds were sold at \$97.50 on a \$100, and they're now being resold within a week at \$103 which is a premium of over \$3 which makes it a profit of \$5 in excess of what the normal profit would be to the seller.

So I think we need to learn about how bonds operate a little more in-depth and that would be a way of doing it at a post agenda when we address only one issue. I'm not going to ask that it be cablevised at this point because I think it's more a learning experience for Council.

I'd like another post agenda, again, Mike, this goes back four or five years now that I brought this up, people who live in streets where there's no parking that were designed back in the horse and buggy days, have a real problem with parking and want to park in their driveways. I'd like to have a hearing about front lawn parking and driveways. There is no other place for them to park and they're being victimized with tickets and so on. So I'd like a post agenda on that.

The last item. In the process of trying to get a sign at the corner of Oneida and Virginia Avenue where there have been about five accidents in the last few years, I called to say my staff person had brought the request down, hand delivered it to Alex Sciulli, and we'd like to know what's happening. They had no record of our having hand delivered it, which I find amazing

and amusing, but there was one there from Jack Wagner.

Then they told me that they would get back to us very shortly and that very shortly is not so short anymore. I spoke to them yesterday and they said, well, they didn't have access to the records or they didn't have a running record of the number of accidents at that corner or anywhere else, that you have to have permission from Mr. Sciulli or his staff to go into the Record Room and check it out. I don't believe this. I've now asked the people in that district to please gather from their own information and sources the number of accidents that have taken place at that corner.

I will tell you that I will buy the sign at \$60 and a pole and I will have the people at that corner install it. But I was told that if I do that that they will take the sign away because it might be in violation of State law. I don't see how it could hurt to error on the side of safety.

I think it's important but my purpose in bringing it out is that I wonder if Mr. Onorato would please check into the availability -- We're in the 21st Century, practically. There's computers. You should press a gizmo and you have it right there for you, not that somebody has to go down and make an appointment to get into the Record Room to find out four months later whether we should put a sign up there. How is this City running? If a business ran that way, it wouldn't even exist two weeks.

Michelle Madoff moved to approve the Minutes of Tuesday, February 2, 1993.

Mr. Ferlo seconded the motion.

Which motion prevailed.

And on the motion of Mr. Onorato

Council adjourned.

MUNICIPAL RECORD

Proceedings of the Council of the City of Pittsburgh

VOL. CXXVII

Tuesday, March 9, 1993

No. 10

Municipal Record

ONE-HUNDRED TWENTY-SEVENTH COUNCIL

JACK WAGNER President
MICHAEL PERRY City Clerk
LINDA M. JOHNSON-WASLER.... Asst. City Clerk

Pittsburgh, PA
Tuesday, March 9, 1993

PRESENT:

MR. COHEN	MR. O'CONNOR
MR. DARKINS	MR. ONORATO
MR. FERLO	MR. RICCIARDI
MICHELLE MADOFF	MR. WAGNER
	(Pres't)

The Meeting was opened by the recitation of the Pledge of Allegiance to the Flag of the United States of America, and a moment of silent prayer for peace throughout the world.

I pledge allegiance to the Flag of the United States of America and to the Republic for which it stands, one Nation, under God, indivisible, with liberty and justice for all.

PRESENTATIONS

Mr. Darkins presents

No. 2103 WHEREAS, Cyrene Chapter #9 Order of Eastern Star honors their Worthy Patron, Willie Saxon, on March 6, 1993 with a Testimony Banquet at Duranti's Restaruant to show appreciation for his over ten years of service; and

WHEREAS, Cyrene Chapter #9 Order of Eastern Star pays tribute to Brother Saxon for his devotion and leadership in discharging his duties with grace and dignity; and

WHEREAS, Brother Saxon faithfully dedicates his time and expertise to support and encourage Cyrene Chapter #9 to fulfill their doctrines; and

WHEREAS, under Brother Saxon's direction, Chapter #9 reaches its goal to serve with confidence, kindness to fellow man, and be adorned with habits and attitudes befitting an Eastern Star; and

WHEREAS, Willie Saxon is a 33 Degree Mason, 7th District Lecture Order of the Eastern Star Prince Hall Affiliated and Past Master of Boaz Lodge #65, Past Thrice Illustrious Master of Royal and Select Masters, Past Most Wise and Perfect Master of St. Cyprian Consistory #4 and Past Potentate of Sahara Temple #2; and

WHEREAS, Willie Saxon is a member of

Central Baptist Church, and is known throughout the Greater Pittsburgh area for his melodious voice; and

WHEREAS, Willie Saxon is a member of Central Baptist Church, and is known throughout the Greater Pittsburgh area for his melodious voice; and

WHEREAS, Willie Saxon is married to Delorse G. and they are the parents of five children, grandparents to ten, and great-grandparents to thirteen.

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh recognizes Willie Saxon as a man who serves unconditionally and with compassionate spirit as he fulfills his duties and mission; and

BE IT FURTHER RESOLVED, that the Council of the City of Pittsburgh congratulates Cyrene Chapter #9 Order of the Eastern Star for exalting a man who makes a difference in the lives of many.

Mr. Darkins moved to adopt the resolution.

Mr. Ferlo seconded the motion.

Which motion prevailed.

Mr. Darkins presents

No. 2104 NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh declares Sunday, March 7, 1993 as "Reverend Timothy Williams Day" in the City of Pittsburgh in recognition of his many years of devoted service to the Pittsburgh community.

Mr. Darkins moved to adopt the resolution.

Mr. Ferlo seconded the motion.

Which motion prevailed.

Mr. O'Connor:

I brought a few people with me. Would the students from CMU, Pitt and Duquesne please come up? You guys even march great.

Mr. O'Connor presents

No. 2105 WHEREAS, DARE-TO-SHARE '93 is a week long event sponsored by the students of the three Pittsburgh graduate business schools, who, in an effort to eliminate hunger in the Pittsburgh area, will assist the work of The Salvation Army by volunteering at the area's food kitchens throughout the week, and by collecting canned food and donations during the DARE-TO-SHARE conclusion rally on Sunday, March 14th at Donzi's on The Boardwalk in Pittsburgh's Strip District; and

WHEREAS, DARE-TO-SHARE will not only benefit those in need within the Pittsburgh area, but, by promoting social awareness among MBA students, will enhance the spirit of our entire community.

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh acknowledges and commends the efforts of the business school students of Carnegie Mellon University, the University of Pittsburgh, and Duquesne University, who have organized the DARE-TO-SHARE program, and encourages their plans to continue working to end hunger by involving business schools from across the state next year, and from across state boundaries the following year; and

BE IT FURTHER RESOLVED, that the Council of the City of Pittsburgh proclaims March 14, 1993 as "DARE-TO-SHARE DAY" in the City of Pittsburgh.

Mr. O'Connor moved to adopt the resolution.

Mr. Ricciardi seconded the motion.

Which motion prevailed.

Mr. O'Connor:

I have Mark Weinsweig who actually was on my Little League Team and I just haven't seen him for over 12 years. So I'm glad we taught you the good values of community awareness and again I want to congratulate all of you.

There is so much talent in our young people and I think we don't all recognize it and I'm glad to see that you're coming forward and doing things like this. It hopefully encourages a lot of community organizations or government organizations to involve young people because there's a lot of talent in this City and this Country

I commend all of you for your effort and we're just very proud and honored to have you here and we'll see you next Sunday and hopefully everybody in Pittsburgh gets behind this and when they're out working and collecting please be as generous as possible.

Mr. Weinsweig:

Thank you very much. First I'd like to thank City Council, especially Councilman O'Connor. As he said, he was a Little League Coach and did a lot of good then, and I'm happy to say he's helping us out a great deal with this event in the whole City to make it a very big event for now and the future.

I'll repeat a little bit of what Councilman O'Connor said, that there's a lot of talent. We've seen a lot of talent not only at our school but at the three schools: Carnegie Mellon's Graduate School of Industrial Administration; the University of Pittsburgh's CAT School; and

Duquesne University's Graduate School of Business.

We decided to organize DARE-TO-SHARE because we thought it was very important to promote social responsibility for the students that come to graduate schools and also when they leave to take those feelings into the companies that they go to.

DARE-TO-SHARE is a week-long event. We're going to go to Salvation Army centers and do day care work. We're going to go to the Rainbow Kitchen during the week and feed the hungry. And on Sunday, we're going to have a huge food drive where we expect about 600 students to go all over the community and collect non-perishable foods for the needy in Pittsburgh.

We're going to start out with a big opening ceremony with about 100 cars lined up behind a Salvation Army truck, break a ribbon, and at night we're going to have a closing ceremony which many Members of City Council are going to attend and we thank them for that. It's a very exciting event and we hope to expand every year.

I'd like to introduce a couple of the co-organizers. First, Greg Clark from the University of Pittsburgh CAT School who is very instrumental in the future success of this event.

Mr. Clark:

I'd also like to thank City Councilman O'Connor and the rest of the City Councilmembers.

I'd also like to thank the City of Pittsburgh and also the students at all of the three graduate business schools, and in particular the CAT's Graduate School of Business of which I happen to be a part of.

I'd like to just state a few things about the importance of such an event. In business school and in the academic arena, we often become closed within a circle, studying the books and things of that nature, tests, and we often forget what's truly important. What's truly important to future business leaders such as ourselves is the community of which we will be a part of. Our fellow man is the greatest investment in which we can place ourselves in, and the greatest return on that investment is the feeling we can get and the rewards we get when we help other people. I think we're all very aware of that and we've become very excited about this event, and it's just been a pleasure to be a part of it.

I'd like to now introduce Martin Wnuk from the Duquesne Graduate School of Business.

Mr. Wnuk:

I'd also like to thank Councilman O'Connor for the very nice resolution.

I'm Martin Wnuk from Duquesne University's Graduate School of Business and one of the features, one of the great things in addition to what Greg talked about about the social responsibility is that this is the first time the three graduate schools of business have ever worked together on anything. The students from all three graduate schools, we're all very excited to work with each other. A new spirit has been generated and we hope that in the years to come it will grow bigger. Like it says in the resolution, hopefully within the State next year, and hopefully national eventually.

One of the other things is, two of our schools are in Spring Break right now and I think it's a great thing that hopefully we can get this to continue in future years. But we're going out to collect cans and help the needy and this is just the first of hopefully many events in years to come.

Once again, we thank Councilman O'Connor for this resolution. Thank you.

Mr. Weinsweig:

There's something I forgot to do and that is to thank everyone standing here. This event is going to be very successful, not only because of the work of the three schools but everyone here has taken it upon themselves to organize a part of the event and I just want to thank everyone here.

Mr. Darkins:

I just hope that what has been said, and Councilman Cohen and I were here commenting on it, and this group, if you just take that one thing that you said, I think that has played an important part in my life. That is that when you do something for people, it's rewarding to see what really comes back.

I must commend Councilman O'Connor for a great, great resolution. And definitely I want to be a part of whatever you're doing.

Mr. O'Connor:

I just want to make sure you're all invited to come down and participate. I know some of the Councilmen, we painted in the Salvation Army a couple months ago, we painted some rooms for them.

It's very rewarding and very enlightening to hear you three talk. I was talking to the other members and each one is as involved and as talented. And I hope after graduation a lot of you stay in Pittsburgh so that we can use your resources. We need them here to help everybody in our City. Thanks for coming down.

Mr. Onorato presents

No. 2106 WHEREAS, Mary Dzurinin

was born in Matovce, Czechoslovakia, one hundred years ago, on March 5, 1893; and

WHEREAS, Mary Dzurani was married to John Dzurani in Czechoslovakia in 1909 at the age of sixteen, and remained married to him for the next 54 years until his death in 1963; and

WHEREAS, in 1925 Mary Dzurani traveled to the United States. She later moved to 2354 Amore Street on the North Side and has lived at this residence for 65 years; and

WHEREAS, Mary and John Dzurani have raised four children: Michael, who resides at 2354 Amore Street and cares for his mother; Stephen, who resides in Murrysville; Mrs. Helen Snyder of Lorraine, Ohio; and John, Jr., who is now deceased; and

WHEREAS, Mary Dzurani has, in addition to her four children, six grandchildren and five great-grandchildren; and

WHEREAS, Mary Dzurani is the oldest living member of St. John the Baptist Carpatho Russian Church, founded in 1937 and located at 2688 California Avenue. She is also the oldest living founder of this Church.

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh congratulates Mary Dzurani on her 100th Birthday and hereby declares Friday, March 5, 1993 as "Mary Dzurani Day" in the City of Pittsburgh.

Mr. Onorato moved to adopt the resolution.

Mr. Ricciardi seconded the motion.

Which motion prevailed.

Mr. Ricciardi presents

No. 2107 WHEREAS, on Friday, February 12, 1993, at 12:45 a.m., an armed felon wearing a ski mask robbed the Our Bar and Cafe at 1310 California Avenue in Manchester; and

WHEREAS, as the armed robber was leaving the establishment, Ron Horvat, a Corrections Officer at the State Correctional Facility at Pittsburgh, and another patron grabbed the robber to wrestle him to the ground; and

WHEREAS, the robber began firing his weapon, critically wounding Ron Horvat in the abdomen; and

WHEREAS, Ron Horvat was rushed to Allegheny General Hospital where his spleen, gall bladder, and one kidney were removed; and

WHEREAS, Ron Horvat is still hospitalized in the Trauma Unit at Allegheny General Hospital.

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh hereby commends Ron Horvat for his devotion to his friends and community and his bravery in trying to subdue an armed robber; and the Council of the City of Pittsburgh supports Ron in his continuing struggle to regain his health; and

BE IT FURTHER RESOLVED, that the Council of the City of Pittsburgh declares Tuesday, March 9, 1993 as "Ron Horvat Day" in the City of Pittsburgh.

Mr. Ricciardi moved to adopt the resolution.

Mr. Onorato seconded the motion.

Which motion prevailed.

The Chair:

I'd also like to welcome Cristiani Krop from Hanover, Germany who is with us today and visiting Councilman Cohen's office. Welcome.

Mr. Darkins presented

No. 2084 Resolution authorizing the Director of the Department of Public Works to provide a License Agreement with Duquesne Light Company, 301 Grant Street, Pittsburgh, PA 15279 to install one pole on City owned property along Central Avenue in the 27th Ward, 1st Council District of the City of Pittsburgh.

Which was read and referred to the Committee on Public Works.

Mr. Ferlo presented

No. 2085 Resolution providing for the issuance of a warrant in favor of Carl Marshalwitz, 725 North Beatty Street, Pittsburgh, PA 15206 in the amount of \$500.00 in payment of professional services, including office coverage, constituent services and constituent outreach, rendered to Councilman Ferlo for the month of March, 1993, chargeable to and payable from Code Account 1001-2, Salaries, Wages and Services of Council, As Needed, (Index Code 100123), City Council, District 7. ---**(SPONSORED BY MR. FERLO)**

Which was read and referred to the Committee on Finance.

Mr. Ferlo moved to suspend Rule 8 by providing for consideration of the bill only until or after the 8th calendar day following the meeting in which the bill was introduced so the bill will be on the agenda this Wednesday.

Mr. O'Connor seconded the motion.

Which motion prevailed.

Also,

No. 2086 Resolution establishing The Bed and Breakfast Trust Fund.
---**(SPONSORED BY MR. FERLO)**

Which was read and referred to the Committee on Finance.

Also,

No. 2087 An Ordinance Repealing Ordinance No. 41, approved December 2, 1992, entitled, "An Ordinance supplementing the Pittsburgh Code, Title Two, Fiscal, Article VII, Business Related Taxes, Chapter 243, Business Privilege Tax, by adding Section 243.05, License Required; Fee, Issuance and Posting." This shall become effective December 31, 1993.
---**(SPONSORED BY MR. FERLO)**

Which was read and referred to the Committee on Finance.

Mr. Ferlo moved to suspend Rule 8 by providing for consideration of the bill only until or after the 8th calendar day following the meeting in which the bill was introduced so the bill will be on the agenda this Wednesday.

Mr. O'Connor seconded the motion.

Which motion prevailed.

Also,

No. 2088 Resolution authorizing the URA of Pgh. to submit an application for financial assistance in the amount of \$225,000 to the Pennsylvania Department of Community Affairs for the Manchester Project. The grant will be used for the Liverpool Street Townhomes

Project in Manchester. (Council District No. 6)

Also,

No. 2089 Resolution authorizing a Cooperation Agreement with the URA of Pgh. for the Manchester Project providing for the designation of \$550,000 of Pittsburgh Home Ownership Program and Pittsburgh Construction Loan Fund monies as the local matching share for a grant applied for in an application for financial assistance filed with the Pennsylvania Department of Community Affairs. The funds will be used to construct the Liverpool Street Townhomes Project. (Council District No. 6)

Also,

No. 2090 Resolution authorizing the URA of Pgh. to condemn and acquire all of the City's right, title and interest, if any, in and to publicly-owned property in the City of Pittsburgh, for the Fair Market Value, under the Residential Land Reserve Fund, said property having been certified as blighted by the Vacant Property Review Committee and the Planning Commission of the City of Pittsburgh. (Council District No. 6)

Also,

No. 2091 Resolution approving execution of a Contract for Disposition of Land by and between the URA of Pgh. and various Redevelopers for the sale of properties in the City of Pittsburgh (SIDEYARDS). (Council District No. 6)

Also,

No. 2092 Resolution authorizing the URA of Pgh. to acquire properties in the City of Pittsburgh, for the Fair Market Value, under the Residential Land Reserve Fund, said property having been certified as blighted by the Vacant

Property Review Committee and the Planning Commission of the City of Pittsburgh. (Council Districts 1, 3, 5, 6 & 9.

Also,

No. 2093 Resolution approving execution of a Contract for Disposition of Land by and between the URA of Pgh. and various Redevelopers for the sale of properties in the City of Pittsburgh (SIDEYARDS). (Council Districts 1, 3, 5, 6 & 9)

Which were severally read and referred to the Committee on Planning, Housing and Development.

Michelle Madoff presented

No. 2094 Resolution providing for the issuance of a warrant in favor of Public Strategies, Inc., One Bigelow Square, Suite 616, Pittsburgh, PA 15219, in the amount of \$1,000.00 in payment for professional consulting services rendered to Councilwoman Michelle Madoff for the month of March, 1993, chargeable to and payable from Code Account 1001-2, Salaries, Wages and Services of Council, As Needed, (Index Code 100123), City Council, District 2). ---(**SPONSORED BY MICHELLE MADOFF**)

Which was read and referred to the Committee on Finance.

Michelle Madoff moved to suspend Rule 8 by providing for consideration of the bill only until or after the 8th calendar day following the meeting in which the bill was introduced so the bill will be on the agenda this Wednesday.

Mr. Ricciardi seconded the motion.

Which motion prevailed.

Mr. Onorato presented

No. 2095 Resolution authorizing and directing the City Solicitor, on behalf of the City of Pittsburgh, to join the Administrative Appeal of the temporary burning permit granted to Kosmos Cement Company by the Allegheny County Health Department. ---**(SPONSORED BY MR. ONORATO, MR. COHEN, MR. FERLO & MR. WAGNER)**

Which was read and referred to the Committee on Finance.

Mr. Onorato moved to suspend Rule 8 by providing for consideration of the bill only until or after the 8th calendar day following the meeting in which the bill was introduced so the bill will be on the agenda this Wednesday.

Mr. Darkins seconded the motion.

Which motion prevailed.

Also,

No. 2096 Resolution authorizing issuance of a warrant in the amount of \$50,000.00 in favor of Crown Wrecking, 276 Ringold Avenue, Pittsburgh, PA 15205 in payment of contract for demolition and removal of a 4 story apartment building at 220 Taylor Street and a 3 story apartment building at 230 Taylor Street, 9th Ward, chargeable to and payable from Code Account Capital Project Funds, (3-27-10-0005-93), (Index Code 827006).

Which was read and referred to the Committee on Finance.

Mr. Ricciardi presented

No. 2097 Resolution providing for the issuance of a warrant in favor of Noralco

Corporation in the amount of \$25,535.61 in payment of an Emergency Contract for the demolition of the Duquesne University/Boulevard of the Allies Pedestrian Bridge, payable from Code Account EC 88-25.

Which was read and referred to the Committee on Finance.

The Chair presented

No. 2098 Communication from Ben Hayllar, Director, Department of Finance, submitting a report of securities pledged as collateral by City Depositories as of January 29, 1993.

Which was read, received and filed.

REPORTS OF COMMITTEES

Mr. Cohen presented

Bill No. 2099

Report of the Committee on Finance for March 3, 1993 transmitting two resolutions and two ordinances to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 2003

A Resolution entitled, "Resolution providing for the issuance of a \$936.00 warrant in favor of James and Clara Reiter in settlement of claim for sidewalk damage."

Which was read.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. Onorato
Mr. Darkins	Mr. Ricciardi
Mr. Ferlo	Mr. Wagner
Mr. O'Connor	(Pres't)

AYES 7 NOES none

And there being two-thirds of the votes of Council being in the affirmative, the bill passed finally.

Also,

Bill No. 2025

An Ordinance entitled, "An Ordinance amending the Pittsburgh Code, Title One--Administrative, Article IX, Boards, Commissions and Authorities, Chapter 172--Private Sector Commission on Cost Control, Subsection 172.01, Creation, Organization, Quorum and Rules, and Subsection 172.02, Powers and Duties, by providing for expanded appointing power, amended powers and duties; and by renaming the Commission." ---(**SPONSORED BY MR. RICCIARDI**)
(AS AMENDED IN COMMITTEE)

Which was read.

Mr. Ricciardi:

On Bill No. 2025, I'd like to take this

opportunity to submit an amendment. Colleagues, it should be before you. It's on "C". "The Director of the Department of Finance and the Administration's and City Council's Budget Officers shall be members ex officio with the Commission." I make that as an amendment.

Mr. Ferlo seconded the motion.

Michelle Madoff:

Mr. Ricciardi, would that give them the majority vote? You know the problems we have on Alcosan, the Water and Sewer Authority. Would it be really and truly democratic without undue influence from the Administration if you open it up for ex officios?

Mr. Ricciardi:

What the amendment is, Michelle, as you recall when we discussed the bill, there were three concerns by my colleagues. One concern was that we will have the budget officers of the Administration but, unfortunately not that of City Council. What this will do is add a professional member to that Commission by the name of Kurt Salac.

In terms of the composition, you raised a very good point. But I think the bill is evenly written in terms of the composition of the Board. Five members by Mayor Masloff, three by City Council and one by the City Controller, three ex officio. And please keep in mind that all members of the Commission will have to be approved by the majority vote of Pittsburgh City Council.

Michelle Madoff:

Did you include the Economy League, the Allegheny Conference, Small Business Association?

Mr. Ricciardi:

No I did not. I could have gone in more depth and did that but I think it's our responsibility if we want someone from those areas to nominate those people.

Michelle Madoff:

Fine. Thank you.

The Chair:

All in favor of the motion? Opposed?

WHICH MOTION PREVAILED.

Mr. Ricciardi:

Just on the bill itself, and I'll be very brief, Mr. Wagner, because we did discuss it in depth. I think it's an important piece of legislation. It gives us a chance to review the workings of government, the cost of City services, begin to prioritize City government. And also formally set up a process where we can again begin to discuss joint County and City operations and services.

It obviously has the full support of the Administration and I would just hope that we would pass this today and begin to move on a process where we would begin to nominate our three members of the Commission. Thank you.

Mr. O'Connor:

I just want to congratulate Mr. Ricciardi. I think it's an excellent idea and I think there is a lot of money to be saved in working together with all these groups. I think we can really increase service and save money at the same time.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. Onorato
Mr. Darkins	Mr. Ricciardi
Mr. Ferlo	Mr. Wagner
Mr. O'Connor	(Pres't)

AYES 7

NOES none

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Also, with a **NEGATIVE** recommendation,

Bill No. 2007

An Ordinance entitled, "An Ordinance amending the Pittsburgh Code, Title One, Administrative, Article VII, Procedures, Chapter 169, Warrants and Checks, by adding a new section, imposing certain requirements which must be satisfied before a warrant, authorizing payment with City moneys, may be executed." --(**SPONSORED BY MR. FERLO**)

Which was read.

Mr. Ferlo:

Mr. Wagner, I move to table this bill.

Mr. Ricciardi seconded the motion.

The Chair:

Is there any discussion on the motion?

And on the question, "Shall the motion pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Ferlo	Mr. Onorato
Michelle Madoff	Mr. Ricciardi
Mr. O'Connor	

AYES 5 NOES 2

(MR. COHEN AND MR. WAGNER VOTING NO)

(MR. DARKINS ABSTAINING)

And a majority of the votes of Council being in the affirmative, the motion passed finally.

Also, with an affirmative recommendation,

Bill No. 2043

A Resolution entitled, "Resolution providing for the rental of two (2) charter buses for elderly City residents to attend a state-wide lobbying effort in Harrisburg, PA on March 22, 1993 to discuss National Health Care policies with Senator Harris Wofford, at a cost not to exceed \$1,500.00, payable from Code Account 1001-1 (100115) Miscellaneous Services, Supplies and Equipment, City Council." ---**(SPONSORED BY MR. DARKINS, MR. FERLO, MR. ONORATO, MR. RICCIARDI & MICHELLE MADOFF)**

Which was read.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. Onorato
Mr. Darkins	Mr. Ricciardi
Mr. Ferlo	Mr. Wagner
Mr. O'Connor	(Pres't)

AYES 7 NOES none

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Mr. Darkins presented

Bill No. 2100

Report of the Committee on Public Works for March 3, 1993 transmitting two resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 2005

A Resolution entitled, "Resolution vacating a portion of Craft Avenue at the intersection of Forbes Avenue in the 4th Ward, 6th Council District of the City of Pittsburgh."

Which was read.

Also,

Bill No. 2006

A Resolution entitled, "Resolution vacating a portion of Forbes Avenue between Craft Avenue and McDevitt Place in the 4th Ward, 6th Council District of the City of Pittsburgh."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. O'Connor
Mr. Darkins	Mr. Onorato
Mr. Ferlo	Mr. Ricciardi
Michelle Madoff	Mr. Wagner
	(Pres't)

AYES 8 NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Mr. Ferlo presented

Bill No. 2101

Report of the Committee on Planning, Housing and Development for March 3, 1993 transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 2008

A Resolution entitled, "Resolution providing for the filing of a Community Development statement by the City of Pittsburgh with the U.S. Department of Housing and Urban Development for a grant in connection with the 1993 Community Development Block Grant Program; providing for the execution of grant contracts and for the filing of other data providing for required assurances; providing for execution of payment vouchers on Letter of Credit and for certification of authorized signature; the deposit of the funds in a bank account and providing for the payment of expenses within categories."

Which was read.

Mr. Cohen:

Mr. President, we had discussion last week on Bill 2008 which is the bill for Community Development Block Grant Funding for a total of \$21,032,000. That, of course, is a very large bill. It's for the CDBG federal money for the City for the entire year and, of course, we're going to be using much of that money for police officers. I raised the issue last week about the fact that they are changing this bill to decrease the allocation to allow for the retrofitting of our elevators for the blind and visually impaired and people with disabilities.

Since last week's discussion, I have talked to the Administration and they have committed to doing those elevators, to making them handicapped accessible. They said that they were going to have a letter in writing. They do not have it at this moment but hopefully they will have it in the next couple of days. But I do have a commitment that those elevators will be done, that it will be started in the fall and completed by the end of 1993.

I think that is a significant step forward. I think it's really an outrageous situation that for so many years our elevators have been inaccessible to many citizens of the City of Pittsburgh who are blind and visually impaired. But that commitment is enough at least to satisfy me that we should go forward with this bill, certainly not to hold up the hiring of police and all the other things that the Community Development Block Grant money does for the City of Pittsburgh but, at the same time, to make sure that our elevators are made handicapped accessible.

A meeting is being set up right now between City and County officials and, as soon as I find out when that is, I will notify my colleagues. And anybody who wants to participate in that, please do. But I think we at least are moving forward on getting those elevators made handicapped accessible.

Michelle Madoff:

I wholeheartedly support this legislation. It's long overdue. And I would like to tell you that we don't have to worry about the funds for it because we have one of the highest kilowatt rates in the Country and if we had someone down there to give us some security to make sure that it was kept clean, that we didn't have six elevators or three elevators in the back with one person in them running the electricity on those elevators, we could pay for that so easily. And I have been saying that for 100 years and it falls on deaf ears. So, if you want to make sure that there's no financial burden on anybody, we don't have to worry about the dollars being allocated elsewhere, just make sure that we don't have six people and six different elevators.

The Chair:

Is there any further discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. Onorato
Mr. Darkins	Mr. Ricciardi
Michelle Madoff	Mr. Wagner
Mr. O'Connor	(Pres't)

AYES 7

NOES 1

(MR. FERLO VOTING NO)

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Also,

Bill No. 2010

A Resolution entitled, "Resolution providing for an Agreement or Agreements with the Salvation Army - Family Center for the payment of maintenance, operation, insurance, utilities, furnishing costs, and provision of essential services to the homeless under the Emergency Shelter Grants Program."

Which was read.

Also,

Bill No. 2011

A Resolution entitled, "Resolution providing for an Agreement or Agreements with Light of Life Rescue Mission for the payment of maintenance, operation, insurance, utilities, furnishing costs, and provision of essential services to the homeless under the Emergency Shelter Grants Program."

Which was read.

Also,

Bill No. 2012

A Resolution entitled, "Resolution providing for an Agreement or Agreements with YMCA - Centre Avenue for the payment of maintenance, operation, insurance, utilities, furnishing costs, and provision of essential services to the homeless under the Emergency Shelter Grants Program."

Which was read.

Also,

Bill No. 2013

A Resolution entitled, "Resolution providing for an Agreement or Agreements with Women's Center and Shelter for the payment of maintenance, operation, insurance, utilities, furnishing costs, and provision of essential services to the homeless under the Emergency Shelter Grants Program."

Which was read.

Also,

Bill No. 2014

A Resolution entitled, "Resolution providing for an Agreement or Agreements with Womanspace East for the payment of maintenance, operation, insurance, utilities, furnishing costs, and provision of essential services to the homeless under the Emergency Shelter Grants Program."

Which was read.

Also,

Bill No. 2015

A Resolution entitled, "Resolution providing for an Agreement or Agreements with Community Human Services for the payment of maintenance, operation, insurance, utilities, furnishing costs, and provision of essential services to the homeless under the Emergency Shelter Grants Program."

Which was read.

Also,

Bill No. 2016

A Resolution entitled, "Resolution providing for an Agreement or Agreements with East End Cooperative Ministry for the payment of maintenance, operation, insurance, utilities, furnishing costs, and provision of essential services to the homeless under the Emergency Shelter Grants Program."

Which was read.

Also,

Bill No. 2017

A Resolution entitled, "Resolution providing for an Agreement or Agreements with Bethlehem Haven for the payment of maintenance, operation, insurance, utilities, furnishing costs, and provision of essential services to the homeless under the Emergency Shelter Grants Program."

Which was read.

Also,

Bill No. 2018

A Resolution entitled, "Resolution providing for an Agreement or Agreements with Miryam's for the payment of maintenance, operation, insurance, utilities, furnishing costs, and provision of essential services to the homeless under the Emergency Shelter Grants Program."

Which was read.

Also,

Bill No. 2019

A Resolution entitled, "Resolution providing for an Agreement or Agreements with Black Vietnam Era Veterans for the payment of maintenance, operation, insurance, utilities, furnishing costs, and provision of essential services to the homeless under the Emergency Shelter Grants Program."

Which was read.

Also,

Bill No. 2020

A Resolution entitled, "Resolution amending Resolution No. 604, effective May 20, 1992, as amended by Resolution No. 931, effective September 18, 1992, entitled 'Providing for the execution of a Cooperation Agreement or Agreements with the Urban Redevelopment Authority of Pittsburgh for the performance of certain work in connection with the 1992-1993 Community Development Block Grant Program, and providing for the payment of the costs thereof,' to decrease the amount of the grant by \$766,000.00 to \$9,689,000.00."

Which was read.

Also,

Bill No. 1870

A Resolution entitled, "Resolution providing for the designation as a Historic Structure under Section 513 of Chapter 1007 of the Code of Ordinances that certain structure known as Engine House Number One and Thirty, more particularly located at 344 Boulevard of the Allies 341 First Avenue (Block and Lot Number 1-M-115) in the First Ward, City of Pittsburgh."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. O'Connor
Mr. Darkins	Mr. Onorato
Mr. Ferlo	Mr. Ricciardi
Michelle Madoff	Mr. Wagner
	(Pres't)

AYES 8 NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Mr. O'Connor presented

Bill No. 2102

Report of the Committee on General Services for March 3, 1993 transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 2021

A Resolution entitled, "Resolution further amending Resolution No. 1348, approved December 28, 1992, entitled 'Resolution adopting and approving the 1993 Capital Budget and the 1993 Community Development Block Grant Program; and approving the 1993 through 1998 Capital Improvement Program,' by amending the Project Number and Index Code for Project 245 (Radio Towers and Building) from 4-30-01-0015-87, Index Code 370726 to 3-30-01-0015-87, Index Code 830372."

Which was read.

Also,

Bill No. 2022

A Resolution entitled, "Resolution providing for a Lease Agreement or Agreements whereby the City of Pittsburgh and the Pittsburgh Water and Sewer Authority shall lease to the Port Authority of Allegheny County, for a term not to exceed forty-one (41) years and at a rental of one dollar (\$1.00) a portion of that certain parcel of real property located in the 18th Ward, known as the Allentown Tank/Grandview Park Site, and granting a non-exclusive easement over adjacent lands for access to the site."

Which was read.

Also,

Bill No. 2023

A Resolution entitled, "Resolution providing for a Cooperation Agreement or Agreements with

the Port Authority of Allegheny County and the Pittsburgh Water and Sewer Authority, and for other agreements or to use existing Agreements and Contracts, for the demolition and removal of old towers, equipment, building and associated facilities at the Allentown Tank/Grandview Park Site and for the upgrading, modernization and construction of a radio tower, equipment, buildings and other improvements, at a total cost not to exceed \$250,000.00."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. O'Connor
Mr. Darkins	Mr. Onorato
Mr. Ferlo	Mr. Ricciardi
Michelle Madoff	Mr. Wagner
	(Pres't)

AYES 8 NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

MOTIONS AND RESOLUTIONS

Mr. Ricciardi:

Mr. Wagner, at this time I would just like to know the feelings of my colleagues and yourself, Mr. Wagner, on how City Council will appoint our three members to the Budget

Revenue and Regional Asset Commission. Obviously, in the past when we had to make appointments for the School Board Reapportionment, what we did, Mr. Wagner, was split them up in threes. I believe yourself and Michelle Madoff and myself, we nominated one person. But while we made appointments to other commissions such as renaming public properties, we just submitted them to Michael Perry.

So, without taking up too much time, I thought if any of my colleagues had an idea how we will submit our three names for the Commission, if I could have some input from my colleagues.

The Chair:

Are there any ideas?

Mr. Ferlo:

Generate names and see who has five votes for each one.

Michelle Madoff:

Get one from the Economy League, one from the Allegheny Conference, and one from the Small Business Association.

The Chair:

Not a bad idea.

Mr. Ricciardi:

Maybe I'll talk to everyone on individually and that's not a bad idea. But if there's no strong feeling on City Council, we could just play it by ear for the next week and submit names. Thank you.

Michelle Madoff:

On another subject. Did anyone read the morning paper? Mine gets there so late that I don't get to read it until the evening sometimes. But I did have a chance to read it this morning and something that we probably all know, and it sort of explains a number of things that are happening. My office has had an unusual number of letters. In addition, I ran a full page ad in the Mount Washington Tribune which is a local newspaper in Mount Washington and Duquesne Heights. I talked about the issues that we've addressed and the problems of the City, and asked if anybody had any other issues to discuss with me would they please contact me.

I've heard from seniors basically saying, please do something about the tax structure; you're killing us, you're choking us. And lo and behold in today's paper there's an article that says, "Magazine Calls City Retirees Tax Held" and I'll just read a couple of paragraphs.

"The 'Where to Retire Magazine' puts Pittsburgh among the most heavily taxed senior citizens in the country paying more in residency in New York City, Los Angeles or Miami. Depending on income and the value of their properties, retiree couples in the City ranked from 94th to 108th in the publication's 111 city survey. It places the nation's lowest tax city in Alaska.

The magazine finds Pittsburgh a property tax hell in every one of the six categories of home values considered in it's analysis in six of the nine categories that match income with the value of a couple's home. The survey's calculations include state income taxes, local and state sales tax, and property taxes. And they don't even include the cost of living or taxes that are intangible such as Allegheny County's controversial property tax.

In all cases the survey lists the tax burden of Pittsburgh retirees as higher than cities

normally regarded as costly."

Boy, that's one label this City doesn't need and that's the kind of thing that this Council has tried to remedy but I think the public needs to know because I've got so much correspondence on it. This Council can only propose a budget. We were upset at the tax swap. I don't think most of you were here at the time. The money was supposed to be refunded and it never was. That's the kind of thing that really puts an undue hardship on people on fixed incomes, people on social security. In addition, some of the other burdens of taxes are causing people who have money who just don't want to pay the tax base to vote with their feet and move out of the City.

What does that mean? It means that those of us who remain pay five greater taxes. And then it's a vicious cycle that never ends. And I'm sure that has a lot to do with the fact that 20 some odd years ago we had over 700,000 people and we're down to about 365,000. And of the 365,000 we have so many unemployed, underemployed, and the base of this community, the gut, the core group, are the people who built this community - the senior citizens. And we've basically said we don't give a damn about you and that's terrible.

If you want to form a commission on something, we need to talk about how do we treat fairly and equitably with these seniors who are being taxed to the point where, for example, in other cities where the tax base is lower, your property values are higher. And when you retire you can sell your home and you'll have some intrinsic value so that you can retire. People here can't do that. Their houses depreciate, not escalate.

I think that's an issue that I hope the next Mayor will address and I hope that this Council will be part of and come up with some meaningful suggestions that will try to remedy this gross inequity.

Mr. Cohen moved to approve the Minutes of Tuesday, February 9, 1993

Mr. Onorato seconded the motion.

Which motion prevailed.

And on the motion of **Michelle Madoff**

Council adjourned.

MUNICIPAL RECORD

Proceedings of the Council of the City of Pittsburgh

VOL. CXXVII

Tuesday, March 16, 1993

No. 11

Municipal Record

ONE-HUNDRED TWENTY-SEVENTH COUNCIL

JACK WAGNER President
MICHAEL PERRY City Clerk
LINDA M. JOHNSON-WASLER.... Asst. City Clerk

Pittsburgh, PA
Tuesday, March 16, 1993

PRESENT:

MR. COHEN	MR. O'CONNOR
MR. DARKINS	MR. ONORATO
MR. FERLO	MR. RICCIARDI
MICHELLE MADOFF	MR. WAGNER
	(Pres't)

The Meeting was opened by the recitation of the Pledge of Allegiance to the Flag of the United States of America, and a moment of silent prayer for peace throughout the world.

I pledge allegiance to the Flag of the United States of America and to the Republic for which it stands, one Nation, under God, indivisible, with liberty and justice for all.

PRESENTATIONS

Mr. Darkins presents

No. 2134 WHEREAS, on March 12, 1993, a Retirement Dinner will be held at the Rivers Club for Judge J. Warren Watson, sponsored by friends, associates and employees who wish to pay respect and honor him for the 27 years he presided in the Court of Common Pleas; and

WHEREAS, on February 18, 1993, Judge J. Warren Watson officially retired as Judge in the Court of Common Pleas of Allegheny County; and

WHEREAS, Judge Watson was elected to the Court of Common Pleas in 1965 and was re-elected to two additional ten year terms in 1975 and 1985; and

WHEREAS, Judge Watson was the first African American Judge assigned to the Orphan's Division of the Court of Common Pleas of Allegheny County and before his retirement was the only African American assigned to the Orphan's Division in the entire Commonwealth of Pennsylvania; and

WHEREAS, Judge Watson shares his talents and expertise with many civic and professional organizations including: Pittsburgh Blind Association, Leukemia Society, American Wind Symphony Orchestra, Mendelson Choir, Boy Scouts of America and Catholic Social

Services; and

WHEREAS, Judge J. Warren Watson served in the United States Army, earned his law degree from Duquesne University and was admitted to the Bar in September, 1954; and

WHEREAS, Judge J. Warren Watson and his wife, Carole Whedbee, are the parents to James, Meredith, Wrenna, Robert, Kevin and Shelia.

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh extends well wishes to the Honorable Judge James Warren Watson, along with days filled with good health, contentment, joy, love and time to enjoy playing golf and listening to music.

Mr. Darkins moved to adopt the resolution.

Mr. Ferlo seconded the motion.

Which motion prevailed.

Mr. Ferlo presents

No. 2135 WHEREAS, the Pittsburgh Ballet Theatre Guild is an independent not-for-profit volunteer organization that supports and promotes the Pittsburgh Ballet Theatre, Inc.; and

WHEREAS, the Pittsburgh Ballet Theatre Guild has been incorporated in the Commonwealth of Pennsylvania since 1974, is registered with the Pennsylvania Bureau of Charitable Organizations, and has been granted exemption from the Federal Income Tax under Section 501 (c)(3) of the Internal Revenue Code; and

WHEREAS, the Pittsburgh Ballet Theatre Guild desires to operate certain small games of chance and/or conduct raffles to

generate funds to finance its operations and further its goals.

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and the Council of the City of Pittsburgh hereby recognize and declare the Pittsburgh Ballet Theatre Guild a civic organization within the context of the Pennsylvania Small Games of Chance Legislation.

Mr. Ferlo moved to adopt the resolution.

Mr. Darkins seconded the motion.

Which motion prevailed.

The Chair:

Members of Council, I have three resolutions. Two are read into the record and one I am honored to present with a number of people here and I'd like to ask them to please step forward. Chief Bob Kennedy of the Paramedics, Department of Public Safety; Dr. Paras whom everyone knows that works in Public Safety, Mr. Steve Whitlock, Mr. Albert Mitchell, Mr. Thomas Jamison, and Mr. John Moon.

The Chair presents

No. 2136 WHEREAS, seventeen Black paramedics from the City of Pittsburgh, working closely with Public Safety Director Louis DiNardo and Chief Robert Kennedy, have joined to form the Black Paramedics Council; and

WHEREAS, the Black Paramedics Council is a volunteer organization with goals of addressing health related issues among the City's disadvantaged, as well as promoting the paramedic profession within the minority community; and

WHEREAS, the Black Paramedics

Council will sponsor events for all residents, especially targeting Blacks and lower income people who are most in need of additional health services; and

WHEREAS, the Council has planned free blood pressure screenings, classes in cardiopulmonary resuscitation, and distribution of information on hypertension and high blood pressure; and

WHEREAS, the Council is also conducting informational programs to encourage minority recruitment in the emergency medical service profession; and

WHEREAS, the Black Paramedics Council promotes volunteerism through Council-sponsored community events, encouraging its membership and all City medics to donate a few hours each month to participate in the events.

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh wholeheartedly endorses and supports the efforts of the Black Paramedics Council, Director DiNardo and Chief Kennedy, and congratulates the initiative of the Black Paramedics in serving the needs of the community; and

BE IT FURTHER RESOLVED, that the week of March 15-21 be declared "Black Paramedic Council Week" in the City of Pittsburgh in honor of the Council and the service of its membership.

Mr. Cohen moved to adopt the resolution.

Mr. Darkins seconded the motion.

Which motion prevailed.

The Chair:

We have Director DiNardo who recently arrived. I'm honored to present this resolution to all of you today. Gentlemen, the work you're doing is very important to the Black community of the City of Pittsburgh and to the City of Pittsburgh in general.

I'm honored to present it and I'd like all of you to further explain the work that's going on and I'd like to ask Steve Whitlock, the Chair of the group, to please step forward and say a few words in regards to what's happening. Also, after Steve, to ask the Chief or the Director or Dr. Paras, or anyone else that would like to add, to please do that.

Mr. Whitlock:

On behalf of the Pittsburgh Black Paramedics Council, I would like to thank you all for this special recognition. Without the support of the Director of the Public Safety Department and the Center for Emergency Medicine and our union, the Fraternal Association of Professional Paramedics, our efforts would not have been possible.

What we are attempting to do is provide community service work for the residents of the City. We put together initially a program for screening of high blood pressure. We will be distributing cards targeting mostly senior citizen centers initially and then to the general public throughout the City. We hope to also be setting up various locations throughout the year that we will be able to do free blood pressure screening for the residents.

We also are working on setting up classes in cardiopulmonary resuscitation that would be offered to the residents without charge.

Once again, thank you very much.

The Chair:

I'd like to ask Chief Kennedy to come to the mike and just to add, while he's coming over, prevention is much more important than treatment. And really, that's what this is all about. Preventing health problems rather than treating health problems, and really getting to the core of the issue.

Chief Kennedy:

On behalf of the Bureau I'd like to thank Council for recognizing the Black Paramedics Council. I think this group represents really the spirit of what it is to be a Pittsburgh Paramedic and that's the sense of community and a sense of providing necessary services.

I think I'd be remiss if I didn't say something about the weekend's activities with the snow emergency. Some of these paramedics standing up here, in fact the ones that are out on the street now, have worked long hours through very bad conditions, sometimes walking as much as a half mile to scenes of calls. We missed no calls. We had no call offs from the paramedics, and it was a truly extraordinary performance. And I think we've earned our reputation once again as the best paramedics anywhere, the ones that serve the City of Pittsburgh.

Thank you very much and I think Dr. Paras has a few words to say.

Dr. Paras:

I would also like to congratulate the Black Paramedics who were really at the heart of our system from the very beginning 18 years ago. I think that these are trying times for paramedics and they're the unsung hero of today's modern society. The difficult environment that they work in, the hours, the stresses, have only increased the

number of calls, etc. But they've continued to serve the public, not only being paid but now they're volunteering to help. I can think of no one else that serves as a better role model to today's youth than our Pittsburgh Paramedics. Thank you.

Director DiNardo:

Just a couple of quick comments. I think it's very important to understand what Council is doing today in recognizing this group because the Black Paramedic Council is certainly setting a very good example for public employees. Separating ourselves from our day in and day out activities is also very difficult and sometimes a very demanding effort for us. But this group is setting an example for all Public Safety employees and for all City employees that we are neighbors and we are part of a community and we have a lot to give back. I think we should all be very proud of their efforts and hope that they set an example for all of us to get out there and do the best we can in each and every community that we live in and become part of the community in places where we're not. So thank you very much for recognizing the Black Paramedics.

The Chair:

I'd like to ask Chief Supervisor John Moon to please step forward and say a few words. John has been with the paramedics since its inception in 1975.

Mr. Moon:

I also would like to thank all Councilmembers and the Public Safety Department along with Director DiNardo, Dr. Paras and the Chief, for their efforts in making this a total success.

I'd also like to pay a tribute to the late Dr. Jake Milliones. Without his input and motivation

I think it would have made this Council's formation a lot more difficult. To him, I would like to pay tribute for this week also. Thank you very much.

The Chair presents

No. 2137 WHEREAS, on Saturday, March 13, 1993 the City of Pittsburgh celebrated its annual St. Patrick's Day Parade through Downtown; and

WHEREAS, Allegheny County Deputy Sheriff John M. McNamara was named and served as this year's St. Patrick's Day Parade Grand Marshall; and

WHEREAS, John McNamara served honorably in law enforcement in the City as a patrolman, sergeant, gold badge detective, Commander of Crimes Persons Division/Detective Branch, and Inspector of the Detective Branch, retiring on January 1, 1970; and

WHEREAS, since retiring from the City force, John McNamara has also served admirably as Chief Deputy Sheriff for Allegheny County; and

WHEREAS, John has been a 50 year affiliate of the Fraternal Order of Police, Lodge # 1, and has also participated in the National Sheriff's Association, the Deputy Sheriff's Association of PA, the Western PA Chiefs of Police Association and the Veteran's Police Association; and

WHEREAS, John has been a member of the Knights of Equity, Court 9, since 1948, serving for many years as Banquet Chairman, and honored in 1977 as the organization's "Irishman of the Year"; and

WHEREAS, John has also been a

member of the Ancient Order of Hibernians, Division 23, in Lawrenceville since 1942, and was a founder of the United Irish Societies, whose purpose was to re-institute the St. Patrick's Day Parade in Pittsburgh; and

WHEREAS, John served in the United States Navy during World War II, and is a member of the American Legion, Post #5, in East Liberty; and

WHEREAS, John was married to the late Betty Kaufmann, has been a lifelong resident of Stanton Heights in the City of Pittsburgh, and a member of St. Kieran's Roman Catholic Church since birth.

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh does hereby commend John. M. McNamara for 50 years of honorable public service in the field of law enforcement; and

BE IT FURTHER RESOLVED, that the Council proclaims Saturday, March 13, 1993 as "John M. McNamara Day" in the City of Pittsburgh in honor of his role as Grand Marshall in the 1993 St. Patrick's Day Parade.

Mr. Cohen moved to adopt the resolution.

Mr. O'Connor seconded the motion.

Which motion prevailed.

The Chair presents

No. 2138 WHEREAS, the Bon-Ami Temple, No. 49, has been in existence in the City of Pittsburgh since its founding on December 12, 1912, and is part of the Improved Benevolent Protective Order of Elks of the World; and

WHEREAS, this outstanding fraternal organization has helped to fulfill various cultural

and social achievements throughout its proud history by contributing to many worthy causes such as Camp Achievement, the Sickle Cell Society and the Burn Unit of West Penn Hospital; and

WHEREAS, on Sunday, March 14, 1993, we come together as part of the 19th Annual Community Awards Dinner Celebration; and

WHEREAS, we join in praising and recognizing the outstanding achievements of several important citizens, namely: Mrs. Julia Gaines, Funeral Director of Gaines Funeral Home, Mr. Herbert Bean, Owner of Beans Gulf Station, Mr. James Henry, Director of Hill House Association, and Mr. William Neal, Administrator of the Champion Association; and

WHEREAS, the City of Pittsburgh is proud to recognize Ms. Elk, Dt. Grace Gales, Ruth Temple No. 16, Past Loyal Sr. Ruler of Alpha Council No. 2, and Mr. Elk, Mr. Edward Giles, Special Deputy from J.T. Brandy Lodge, Duquesne, PA.

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh declares Sunday, March 14, 1993 as "Bon-Ami Temple No. 49 Day" in the City of Pittsburgh and extends best wishes to the membership in all their worldly endeavors.

Mr. Cohen moved to adopt the resolution.

Mr. Ferlo seconded the motion.

Which motion prevailed.

Mr. Cohen presented

No. 2108 Resolution providing for the issuance of a \$1,622.44 warrant in favor of McCabe Brothers in settlement of claim for automobile damage occurring on June 25, 1992

when a City Public Works vehicle slid and struck a moving vehicle on Bigelow Boulevard, payable from Code Account No. 46, Judgments.

Also,

No. 2109 Resolution providing for the issuance of a \$1,577.29 warrant in favor of American Rent A Ride in settlement of claim for automobile damage to a City leased vehicle used by O.N.I. Detectives for conducting investigations. Damage occurred when a suspect under surveillance observed the Detectives, put his vehicle in reverse, jumped out and fled allowing his open left door to strike the rental vehicle, payable from Code Account No. 46, Judgments.

Also,

No. 2110 Resolution providing for the issuance of a \$835.05 warrant in favor of American Rent A Ride in settlement of claim for automobile damage to a City leased vehicle struck and damaged by a tractor-trailer truck at the West End Circle, payable from Code Account No. 46, Judgments.

Also,

No. 2111 Resolution providing for the issuance of a \$813.66 warrant in favor of American Rent A Ride in settlement of claim for automobile damage to a City leased vehicle struck while parked in the Public Safety parking lot, payable from Code Account No. 46, Judgments.

Also,

No. 2112 Resolution providing for the issuance of a warrant in favor of Title Searching Services in the amount of \$1,150.00 in payment of title searches performed for the Real Estate Division of the Finance Department, chargeable

to and payable from Code Account 1063 (106302), Misc. Services, Department of Finance.

Also,

No. 2113 Resolution transferring the aggregate amount of \$76,905.46 from Code Account JTPA-2 - \$67,324.09 and Code Account JTPA-3 - \$9,581.37 to Code Account JTPA-1.

Also,

No. 2114 Resolution providing for the filing of a petition or petitions for the sale of certain property or properties, acquired at tax sales in accordance with Act No. 171 of 1984, "Second Class City Treasurer Sale and Collection Act", effective December 11, 1984.

Also,

No. 2115 Resolution providing for conveyance by the City of Pittsburgh of certain property, under Act No. 171 of 1984, entitled, "Second Class City Treasurer Sale and Collection Act", effective December 11, 1984.

Which were severally read and referred to the Committee on Finance.

Mr. Darkins presented

No. 2116 Resolution amending Section 1 of Res. No. 957, appr. Sept. 24, 1982, eff. Oct. 8, 1982, entitled "Granting unto Joseph A. Meyers, his successors and assigns, the privilege and license to continue to maintain and use at his own cost and expense, a garage at the rear of his home at 1711 Fairacres Avenue, encroaching on Longmore Avenue in the 19th Ward of the City of Pittsburgh."

Also,

No. 2117 Resolution providing for an Agreement or Agreements, or the use of existing Agreements between the City of Pittsburgh and the Roman Catholic Congregation of Prince of Peace Church, for the use of Loretto Cemetery as a clean fill site for which the City of Pittsburgh agrees to pay a yearly fee of \$1.00, chargeable to and payable from Code Account 1677, Garbage, Refuse and Ash Disposal.

Also,

No. 2118 Resolution providing for a Contract or Contracts, or the use of existing Contracts for flexible beam guiderrails at various locations within the City of Pittsburgh at a cost not to exceed \$50,000.00, chargeable to and payable from Code Account 3-01-30-0020-93, Flexible Beam Guiderrails.

Which were severally read and referred to the Committee on Public Works.

Mr. Ferlo presented

No. 2119 An Ordinance amending the Pittsburgh Code, Title Seven, Business Licensing, Article VII, Service Businesses, by creating a new chapter 767, Bed & Breakfast Establishments. —(SPONSORED BY MR. FERLO)

Which was read and referred to the Committee on Public Safety.

Mr. Ferlo moved to suspend Rule 8 by providing for consideration of the bill only until or after the 8th calendar day following the meeting in which the bill was introduced so the bill will be on the agenda this Wednesday.

Mr. O'Connor seconded the motion.

Which motion prevailed.

Also,

No. 2120 Resolution approving a Conditional Use Exception under Section 993.01(a)A(7) of the Pittsburgh Code, Title Nine, Zoning, Article V, Chapter 993, to Allegheny County for authorization to construct a two-story, 31'8" by 47'4" extension to the existing work release facility located at 3342 Fifth Avenue, with parking to accommodate two automobiles, on property zoned "C4" Commercial District, 4th Ward. (Council District No. 6)

Also,

No. 2121 Resolution authorizing a Ninth Amendatory Herr's Island Cooperation Agreement with the URA of Pgh. providing for the conveyance by URA Disposition Parcel 8 to the City for use as a public park, the acceptance by the City of dedication of Parcel 8 and its improvements, maintenance by URA of the public park and indemnification and defense of URA by the City. (Council District No. 1)

Also,

No. 2122 Resolution authorizing the URA of Pgh. to acquire all of the City's right, title and interest, if any, in and to the publicly-owned property in the City of Pittsburgh under the Residential Land Reserve Fund, 5th Ward. (Council District No. 6)

Also,

No. 2123 Resolution authorizing the URA of Pgh. to acquire all of the City's right, title and interest, if any, in and to the publicly-owned property in the 3rd Ward of the City of Pgh. designated in the Deed Registry Office of Allegheny County, as Block 11-F Lot 101 (1931 Fifth Avenue), under the Residential Land Reserve Fund. (Council District No. 6)

Also,

No. 2124 Resolution approving execution of a Contract for Disposition of Land by and between the URA of Pgh. and Central Hill Associates for the sale of Block 11-F Lot 101 (1931 Fifth Avenue) in the 3rd Ward of the City of Pittsburgh. (Council District No. 6)

Also,

No. 2125 Resolution approving execution of a Contract for Disposition of Land by and between the URA of Pgh. and Carnegie Mellon University for the sale of Parcel 2, Subdistrict 1-West in the 4th Ward of the City of Pittsburgh in Redevelopment Area No. 50. (Council District No. 6)

Which were severally read and referred to the Committee on Planning, Housing and Development.

Mr. O'Connor presented

No. 2126 Resolution authorizing the Mayor and the Director of the Dept. of General Services to enter into an Agreement with the Commonwealth of Pennsylvania, Bureau of Blindness and Visual Services to provide food service in the Public Safety Building.

Which was read and referred to the Committee on General Services.

Mr. Onorato presented

No. 2127 Resolution providing for a Contract or Contracts or the use of existing Contracts to purchase Fire Attack Hose for the Dept. of Public Safety, Bureau of Fire at a cost not to exceed \$14,000.00, chargeable to and payable from Code Account 1464, Equipment, Dept. of Public Safety, Bureau of Fire.

Which was read and referred to the Committee on General Services.

The Chair presented

No. 2128 Resolution providing for an Agreement or Agreements with the Walter H. Drane Company for professional services in connection with the preparation and printing of supplements to the Pittsburgh Code, including delivery charges, at a cost not to exceed \$11,500.00, chargeable to and payable from Code Account 1005-3, Printing Pittsburgh Code.
---(SPONSORED BY MR. WAGNER)

Which was read and referred to the Committee on Finance.

REPORTS OF COMMITTEES

Mr. Cohen presented

Bill No. 2129

Report of the Committee on Finance for March 10, 1993 transmitting one ordinance and sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 1968

A Resolution entitled, "Resolution providing for the issuance of a warrant in favor of Michael Facchiano Contracting in the amount of \$138,398.96 for extra work performed at the Schenley Park Plaza Parking Lot, without previous authority of law."

Which was read.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. Onorato
Mr. Darkins	Mr. Wagner
Mr. O'Connor	(Pres't)

AYES 5

NOES 1

(MR. FERLO VOTING NO)

(MICHELLE MADOFF AND MR. RICCIARDI ABSTAINING)

And there being two-thirds of the votes of Council being in the affirmative, the bill was tabled.

Also,

Bill No. 2087

An Ordinance entitled, "An Ordinance repealing Ordinance No. 41, approved 12-2-92, which supplemented the Pittsburgh Code, Title Two, Fiscal, Article VII, Business Related Taxes, Chapter 243, Business Privilege, by adding Section 243.05, License Required; Fee, Issuance and Posting."

Which was read.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. O'Connor
Mr. Darkins	Mr. Onorato
Mr. Ferlo	Mr. Ricciardi
Michelle Madoff	Mr. Wagner
	(Pres't)

AYES 8 NOES none

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Also,

Bill No. 2037

A Resolution entitled, "Resolution authorizing the issuance of a warrant in favor of the Commonwealth of Pennsylvania to refund reimbursement received from Dean Institute of Technology, Inc. in connection with a Pell Grant and JTPA funds in excess of participant cost for training paid under contract that ended June 30, 1992. The total warrant shall not exceed \$2,039.15."

Which was read.

Also,

Bill No. 2038

A Resolution entitled, "Resolution authorizing the issuance of a warrant in favor of the Commonwealth of Pennsylvania to refund disallowed costs for Choice Personnel, Computer Tech, Program Research and Development, RDP Consulting Services and Jeff

Zell Consultants from the subrecipient audit for the period ending June 30, 1991. The total warrant shall not exceed \$6,172.30."

Which was read.

Also,

Bill No. 2039

A Resolution entitled, "Resolution authorizing the periodic issuance of warrants in favor of the Commonwealth of Pennsylvania to pay the City's JTPA Program's share of statewide on-line computer system for 7-1-92 through 6-30-93, at a total cost not to exceed \$19,951.00."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. O'Connor
Mr. Darkins	Mr. Onorato
Mr. Ferlo	Mr. Ricciardi
Michelle Madoff	Mr. Wagner
	(Pres't)

AYES 8 NOES none

And there being two-thirds of the votes of Council being in the affirmative, the bills passed finally.

Also,

Bill No. 2040

A Resolution entitled, "Resolution Repealing Resolution No. 197, Item F, effective 3-11-92 which authorized the sale of a duplex located at 200 Delmont Street, 18th Ward, to Robert J. Fulton."

Which was read.

Also,

Bill No. 2041

A Resolution entitled, "Resolution providing for the conveyance by the City certain property under Act 171 of 1984, 'Second Class City Treasurer Sale and Collection Act.'"

Which was read.

Also,

Bill No. 2042

A Resolution entitled, "Resolution providing for the filing of a petition or petitions for the sale of certain property or properties, acquired at tax sales in accordance with Act No. 171 of 1984."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen

Mr. O'Connor

Mr. Darkins
Mr. Ferlo
Michelle Madoff

Mr. Onorato
Mr. Ricciardi
Mr. Wagner
(Pres't)

AYES 8

NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Also,

Bill No. 2059

A Resolution entitled, "Resolution providing for the issuance of a warrant in favor of Duquesne Light Company in the amount of \$20,532.39 for reimbursement of ten percent (10%) of relocation costs associated with the reconstruction of the Pennsylvania Avenue Bridge."

Which was read.

Also,

Bill No. 2085

A Resolution entitled, "Resolution providing for a warrant in favor of Carl Marshalwitz in the amount of \$500.00 in payment for professional services rendered to Councilman Ferlo for the month of March, 1993." ---**(SPONSORED BY MR. FERLO)**

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. O'Connor
Mr. Darkins	Mr. Onorato
Mr. Ferlo	Mr. Ricciardi
Michelle Madoff	Mr. Wagner

(Pres't)

AYES 8 NOES none

And there being two-thirds of the votes of Council in the affirmative, the bills passed finally.

Also,

Bill No. 2094

A Resolution entitled, "Resolution providing for a warrant in favor of Public Strategies, Inc. in the amount of \$1,000.00 in payment for professional services rendered to Councilwoman Michelle Madoff for the month of March, 1993."
---(SPONSORED BY MICHELLE MADOFF)

Which was read.

Michelle Madoff:

Correction on Bill 2094. It's for \$3,000 a nd it's for three months, January, February and March. What happened is that whoever typed it only picked up \$1,000 a month and put it in. It's for \$3,000 for three months.

The Chair:

Is there any further discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. O'Connor
Mr. Darkins	Mr. Onorato
Mr. Ferlo	Mr. Ricciardi
Michelle Madoff	

AYES 7 NOES 1

(MR. WAGNER VOTING NO)

And there being two-thirds of the votes of Council in the affirmative, the bill passed finally.

Michelle Madoff:

Point of Order. On my bill which was amended which was in error on the dollars to my consultant, I want to be sure that those bills are paid and word out of the Administration's Office is that they're not paying anything.

I would suggest that we do not pass any of the Administration's warrants until they pass our's.

Also,

Bill No. 2095

A Resolution entitled, "Resolution authorizing and directing the City Solicitor, on behalf of the City of Pittsburgh, to join the Administrative Appeal of the temporary burning permit granted to Kosmos Cement Company by the Allegheny County Health Department."

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. O'Connor
Mr. Darkins	Mr. Onorato
Mr. Ferlo	Mr. Ricciardi
Michelle Madoff	Mr. Wagner
	(Pres't)

AYES 8 NOES none

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Mr. Darkins presented

Bill No. 2130

Report of the Committee on Public Works for March 10, 1993 transmitting one ordinance and sundry resolution to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 2044

An Ordinance entitled, "An Ordinance amending the supplementing the Pittsburgh Code, Title One, Administrative, by Repealing Chapter 133, Department of Environmental Services; by amending Section 119.02, Powers and Duties of Director (Department of Public Works), by adding certain powers and duties previously under the Department of Environmental Services and Parks and Recreation; and by amending Section 139.02, Powers and Duties of Director (Department of Parks and Recreation), by deleting certain duties; and by authorizing corresponding changes to the City Code and City Contracts."

Which was read.

Mr. Ricciardi:

On Bill 2044 which basically merges the Department of Environmental Services with Public Works, as my colleagues know in the past I have always supported streamlining City government in order to offer better City services to the constituents. As a matter of fact, I've always said that the laborers of Parks and Recreation should be merged into Public Works, and one year later that did occur.

I'm not fairly confident or sure at this time if the merger of Environmental Services and Public Works has benefitted the City of Pittsburgh. I have always said in the past, my first three years on City Council, that I never received a complaint for garbage, refuse pick up or recycling pick up in my district of the City of Pittsburgh. Unfortunately, over the last few weeks I've received several complaints, also a change of policy in the way we pick up garbage in alleyways, well, what the Administration calls alleyways but what taxpayers will call their streets in the South Side of Pittsburgh.

So, at this time I'm voting no on 2044. I'm not sure if the merger is working, I'm not even sure if it's needed, and I'm not sure why the decision was made since it's really not shown that it has shown a savings to the taxpayer. But in my district it has just added more complaints, the merger itself. I'm not sure what changed in Environmental Services, but whatever has changed is not to my satisfaction. So, Mr. Wagner, I will be voting no on 2044.

Mr. Ferlo:

I didn't vote for this in the Committee Session and I'm glad to see some Councilmembers beginning to think about this

issue. Obviously this bill is somewhat ceremonial since, in effect, because of the budget changes and because Administratively the City Executive Director and the Mayor have chosen to merge various Departments. In effect, this ordinance change is somewhat ceremonial since, in effect, administratively these changes have already taken place.

But I'm not clear that Council should add its official seal to this yet. I still think the jury is out on whether or not these departments should be merged. I think successfully there is legitimacy to Parks and Recreation going in with Public Works. It better utilized the workforce throughout the year regardless of what the Public Work's assignment is, be it parks or be it on the City streets or City infrastructure. But I still have major reservations on the one part, and that is the Environmental Services.

First of all, we're eliminating an African American Director out of this arrangement, and I continue to find it interesting that this Administration continues to have a poor track record in that respect. The fact of the matter is, I believe that Mr. Elston in this case has served the City well for a great number of years and I think it was somewhat chauvinistic that he was not afforded the opportunity during these last few years to ascend to the full directorship of that Department. He has always been sort of a stepchild in that Department, depending on the whims of the palace guard.

Secondly, Environmental Services is probably one of the main areas that I get calls into my office. I don't know how other Councilmembers, their offices and what their experiences are over the years, but there are a lot of problems and concerns in Environmental Services. It's a great department, it's a hard working department, and I think it deserves its own separate, distinct administrative function within City government.

I'll be voting no on this bill today and I also think regardless of the outcome of the Mayoral election, I think we should afford an opportunity to the next Mayor, whoever he or she is, the privilege and the ability to refashion, relook at, re-analyze the administrative functions of City government.

Again, I'm voting no because I still believe that Environmental Services should be a separate and distinct function. The payroll and the personnel in that department are unique to that department as opposed to the example of the DPW/Parks and Rec merger of laborers. So, I'm voting no and, again, there are major problems in Environmental Services that need to be addressed and I think they singularly should be addressed by a Director who is accountable directly to this City Council and to City Government. Whether it be absentee landlords who have problems with garbage containers, the issue of street clean up and receptacles along business districts, I would rather see us spend time in this budget year, 1993, looking at the functions of the Environmental Services Director.

So, for those reasons and a few more, I'm voting no.

Mr. Darkins:

Mr. President, as the Chairman of the Department of Public Works, I have no knowledge of this transaction that is taking place. And I am really appalled, surprised and disappointed in the Administration at this point because some three years ago when I came on board as a City Councilman and was assigned as the Chairman of the Department of Public Works, the Department of Environmental Control was out without a contract and the Refuse Department was just deplorable. I went there and I talked to those people. I was able to get them to

compromise with the Administration so that we could have a contract because the Department was without a contract for some two or three years.

Another thing that should be brought to the attention about the Department of Public Works is that I personally, Mr. President, yesterday worked Third Division. I personally worked it myself. And I discovered in working in Third Division out on Hamilton Avenue with the transfer of laborers and truck drivers from the Department of Parks and Recreation to the Department of Public Works, they didn't know where they were going, they didn't know how to do it because the laborers and the truck drivers from Parks and Recreation does not have any insight on cleaning the streets, dropping salt, or anything to that effect. It was just awesome. It was terrible what I experienced yesterday at Third Division.

So, I'm going to vote no on this.

Michelle Madoff:

Having been here for many moons, I find it appalling that people like Sam Tiglio and other Directors get bypassed so that no one is rewarded for the dedication that they give and the years of service and experience that they gain by being here. I use myself as an example. I remember the first few years I believed all the garbage that came over from the Administration because it was coached by wordsmiths that made us think it was right. It takes years to figure out what is wrong.

Hugh Elston is one of the outstanding people and I have dealt with him in his Department. He should be promoted. He should be the person that heads that Department. Also, we should reward him for the years of service and acumen and experience that this man has acquired and the relationship he has with his workers and the relationship he has with citizens.

I think it's a disgrace and for that reason I, too, will vote no.

The Chair:

I'm voting yes on Bill No. 2044 because I think consolidation of services is in the best interest of the taxpayers of the City of Pittsburgh. Wherever you can streamline government, we should streamline government. I have seen services provided by Public Works that really should be in Environmental Services, such as the picking up of trash cans along public streets. I believe that that should be done by Environmental Services employees. There is a greater potential of that happening if there is cohesive management between the two departments. And I have seen, and all of you have seen, where there are streets in the City of Pittsburgh where one side of the street is picked up by one refuse truck and the other side of the street is picked up by another refuse truck. I think a good solid look and revising and constantly looking at how we can improve and consolidate services is again in the best interest of the taxpayers of this City. Therefore, I'm voting yes on Bill 2044 and I'm not really saying anything to initiate debate. I understand and respect everyone else's opinion on the issue but I'm simply stating my position.

Mr. Ferlo:

I sympathize with many things you have stated, Mr. Wagner, and that's why I support, and albeit there were problems yesterday with the Parks staff. I do think there's a lot of synergy that can be gathered from a cohesive use of both the laborers in Public Works and Parks. So, I am pretty much wedded to the notion that there can be more effective use of that personnel.

But my problem focuses in on Environment Services specifically. And while

there is room for improvement, I think it should be done administratively within a separate department, distinct and accountable directly to this Council. The way this plan is, and it's part of my opposition always to the bureaucracy of the Public Safety Department. Before the Police Chief was directly accountable to Council as a Department Director. We approved that person. Same thing with Fire or EMS. You create one department and then all of a sudden it's only one director who's accountable directly to Council.

So, in a way we're losing our ability to have that direct linkage relationship to a Department Director, in this case it has been Mr. Elston who happened to be some sort of a Director of Environmental Services. I don't know if he ever obtained that official title but he did the job for several years when the previous Director left.

So, my concern also focuses in on that kind of checks and balances that I think only this legislative body can provide to a City Department that, probably next to Police, touches more residents in terms of services than any other City Department.

Mr. Darkins:

Mr. President, I want to speak also in regards to Mr. Hugh Elston.

It is my understanding he is Acting Director so I just think in some circumstances there would be those that would be hush-hush and quiet about it, but I cannot sit here with my colleagues and you, as the President of Council, and not have something to say. I think it's a disgrace to the African American community. It's a disgrace to me as a Councilman from the African American community. It's a disgrace because that is my department and, again, I must elaborate on it that I was never told or this was never mentioned to me. It should go on public

record and I hope the news media picks it up. Here it is. We don't have that many African American people in government, in prestigious positions, and here we're getting ready to eliminate one. Here it is the Primary hitting us and the General will be coming on, but they will be asking from the African American for their vote.

Michelle Madoff:

While I support your theory, Mr. President, that we need to combine departments wherever possible so that we can save dollars, it becomes rhetoric and, excuse the expression, posturing when the real world is that we have an Acting Director who should be a Director who really understands picking up of refuse in the City could easily be assigned with the proper people, shifting them over from Public Works to pick up the litter cans and so on.

The point here is, are we going to be penny-wise and pound-foolish? It sounds great to combine departments. Obviously, when you talk about combining departments, that should be under the Mayor overseeing all departments.

And I think the terms that my colleague, Duane Darkins, probably is searching for is an insult to all of us. It's an insult when we see someone, I don't care whether they're black, white, purple or polka dot, or female or half and half. The point is, here is somebody doing a good job, dedicated to the City for years and years and years, and bypassed. And that is wrong. And we know that's wrong. We all know that's wrong. And we ought to vote our conscious and we ought to vote to support people who give their lives to this City and not say, "Well, so what? The Administration says -- We don't want them." That's the issue. And I urge my colleagues to support us and vote no on it.

The Chair:

I'll simply add that I think Mr. Elston has also done a fine job and his people believe in him. And he is going to remain in a position running Environmental Services, but Environmental Services will come under Public Works, just as Parks and Recreation, there was a consolidation, under Public Works. The same theory applies here.

I voted against the Public Safety Department. I don't know if anyone else here did at the time it was created, because I didn't like the bureaucracy that was being formed. Just the opposite is occurring here. We are not creating a bureaucracy here, and I want to state that clearly on the record. This is in the best interest of the taxpayers of this City. It is a more efficient, streamlined operation of City government.

Mr. O'Connor:

Why don't I make a motion to recommit this so that we can discuss it again at the table to see where Mr. Elston and how this all fits together? I think we did talk about it last week but some of our colleagues weren't here.

Mr. Darkins brought up a lot of good points as far as Park people never dealing with the snow, not knowing where the streets are, are they trained. This is only a two or three day emergency; what happens if this happens to our garbage pick up like I think happened last January when we made the garbage change and we had an utter disaster in the City? Our garbage wasn't picked up.

Possibly we should look at this again.

Mr. Cohen seconded the motion.

The Chair:

Is there any discussion on the motion?

And on the question, "Shall the motion pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen
Mr. O'Connor

Mr. Onorato
Mr. Wagner
(Pres't)

AYES 4

NOES 4

VOTING NO:

Mr. Darkins
Mr. Ferlo

Michelle Madoff
Mr. Ricciardi

And a majority of the votes of Council being in the affirmative, the motion was defeated.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen
Mr. Onorato

Mr. Wagner
(Pres't)

AYES 3

NOES 4

VOTING NO:

Mr. Darkins
Mr. Ferlo

Michelle Madoff
Mr. Ricciardi

(MR. O'CONNOR ABSTAINING)

And a majority of the votes of Council
being in the affirmative, the bill was defeated.

Also,

Bill No. 2047

A Resolution entitled, "Resolution providing for
a Contract(s) for crack sealing, micro surfacing,
cold in place recycling, sawing and sealing,
asphalt testing, flexible pavement, asphalt miling
and truck rental, cost not to exceed
\$2,811,734.00, Citywide Resurfacing Program."

Which was read.

Mr. Cohen:

I'd like my remarks on Bill 2047 brought
forward, please.

(REMARKS ON FOLLOWING PAGE)

(MR. COHEN'S COMMENTS ON BILL NO. 2047 - Wednesday, 3/10/93)

Mr. Cohen:

I wanted to just follow-up on Mr. Wagner's questioning. I wanted to ask you about potholes, too. Our situation right now with potholes -- at least in my district, I am sure it is true in everybody's -- is really a terrible situation. In many cases, we are not talking about potholes, we are talking about sink holes or bathtub holes; they are really large.

I wonder whether you have done or are doing a comprehensive analysis of the worst hot holes in the City of Pittsburgh right now.

Mr. Walluk:

We have any wheres from 12 so 15 crews city-wide out patching those potholes on a regular basis. If it is snowing, it is difficult to patch them; if in is soaking wet, it is difficult to patch them. We go through this process every year. I don't think it is particularly worse this year than previous years, but as soon as we get a break in the weather, we will start putting the hot stuff in there. We are putting the cold patch in, it holds up fairly well.

But if there is a particular area that anybody notices that there is a pothole that seems to re-occur or if we are missing it, please contact our offices. We can't be every place at all times. I am asking you people to be our eyes and ears out there. If you see a pothole that we have missed, please call 255-2709 and let us know where that is and we will get to it immediately.

Mr. Cohen:

Say that number one more time, please.

Mr. Walluk:

255-2790 or you can call the Mayor's Complaint Center. They are very responsive to us.

Mr. Cohen:

Let me give you two, and then if I can, I would like to submit lots more. I knew this was coming up today and happened to notice that on Fifth Avenue at Fifth and Neville, there is a huge one, and Fifth and Craig. If you could put those two down and if I could perhaps submit other to you in writing, I would appreciate it.

(END OF REMARKS)

(Transcribed by Helen L. Kriebel, Stenotype Reporter)

Also,

Bill No. 2050

A Resolution entitled, "Resolution authorizing the Director of Public Works to provide a license agreement to Duquesne Light Company to install an underground electrical system and remove existing system along Allegheny River Boulevard in the 12th Ward, 9th Council District."

Which was read.

Also,

Bill No. 2051

A Resolution entitled, "Resolution authorizing the Director of Public Works to provide a license agreement to Duquesne Light Company in install an underground electrical system and remove existing system along Greenfield Road and Pocusset Drive in the 14th Ward, 5th Council District."

Which was read.

Also,

Bill No. 2052

A Resolution entitled, "Resolution vacating a portion of Vulcan Way between East Lacock Street and Cajou Way in the 22nd Ward, 1st Council District."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. O'Connor
Mr. Darkins	Mr. Onorato
Mr. Ferlo	Mr. Ricciardi
Michelle Madoff	Mr. Wagner
	(Pres't)

AYES 8

NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Mr. O'Connor presented

Bill No. 2131

Report of the Committee on General Services for March 10, 1993 transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 2045

A Resolution entitled, "Resolution amending Resolution No. 959, effective September 25, 1992, which provided for a Contract(s) for the purchase of a brush chipper for the Department of Parks and Recreation and provided for the payment thereof, by increasing the cost and changing the Department and Code Account/Index Code."

Which was read.

Also,

Bill No. 2046

A Resolution entitled, "Resolution amending Resolution No. 1209, effective December 4, 1992, which provided for a Contract (s) for the purchase of a utility vehicle for the Department of Parks and Recreation and provided for the payment thereof, by increasing the cost and changing the Department and Code Account/Index Code."

Which was read.

Also,

Bill No. 2048

A Resolution entitled, "Resolution providing for the letting of a Contract(s) for the purchase of play equipment for Phillips Park, Department of Public Works, cost not to exceed \$15,760.00."

Which was read.

Also,

Bill No. 2058

A Resolution entitled, "Resolution providing for a Contract(s) for the purchase of Emergency Information System/Chemical LAN Software for the Emergency Operations Center, cost not to exceed \$13,000.00."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. O'Connor
Mr. Darkins	Mr. Onorato
Mr. Ferlo	Mr. Ricciardi
Michelle Madoff	Mr. Wagner
	(Pres't)

AYES 8

NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Mr. O'Connor presented

Bill No. 2132

Report of the Committee on Parks and Recreation for March 10, 1993 transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with a **NEGATIVE** recommendation,

Bill No. 1602

A Resolution entitled, "Resolution providing for an Agreement(s) with Carol S. Rosenbloom, Inc. for the purpose of operating the Schenley Park Golf Course."

Which was read.

Mr. Ferlo:

I would like my comments brought forward.

Michelle Madoff:

I would also like my remarks brought

forward.

Mr. Cohen:

Mine as well.

Mr. Onorato:

Please bring my comments forward for
the Record.

The Chair:

Please bring my forward also.

(REMARKS ON FOLLOWING PAGES)

(MESSRS. COHEN, FERLO, ONORATO, WAGNER AND MICHELLE MADOFF'S
COMMENTS ON BILL NO. 1602 - Wednesday, 3/10/93)

Mr. Ferlo:

Mr. Chairman, Mr. O'Connor, thank you.

Obviously, I have been around each Councilmember, I have had a proposal on the floor. I think we have a very serious, very bona fide, very qualified proposal. There is not majority support for that proposal on this Council. I don't know where the Administration is at.

I personally feel -- and at this time I would like to make a motion to table this bill, because as far as I am concerned, there is no majority support for any proposal at this point. If we table this bill, then we are basically sending a message to the Administration that it is their responsibility with the funds that we provided this year to continue the maintenance and operation of Schenley Park. I think we should put the ball back in the court of the Administration. If not, I am perfectly willing and prepared to argue and defend what I think is a very exciting proposal for our city. That proposal does not have majority support on this Council, and at this point I would rather delay this until the next Administration takes office, and in the meantime, put pressure on the Administration to maintain and open the Park as it was last year.

Accordingly, I would like to make a motion to table.

Michelle Madoff:

Discussion before the table. I think this issue needs to be aired. What happened in that meeting was a very isolated part of the community, and the public is not aware of what happened. If we table it, we just perpetuate bad information. I think what we need to do now is to air what happened. I would like that opportunity.

The Chair:

Okay. We have a motion to approve that is still on the table and a motion to table that Mr. Ferlo has made.

Michelle, are you completed with your discussion?

Michelle Madoff:

No, I am not. I am waiting to see what the procedure is. I am asking for some guidance from the Chair. Would this be the time for me to proceed?

The Chair:

We have discussion, so you can proceed with your discussion.

Mr. Ferlo:

There is a motion to table on the floor which takes precedence.

Mr. Onorato:

I will second the motion to table.

Michelle Madoff:

Am I not going to discuss what happened?

Mr. Ferlo:

On Tuesday there will be a chance to discuss this.

Mr. O'Connor:

Can we discuss it?

Michelle Madoff:

I think it is imperative that we discuss the issue and not sweep it under the rug. It is a very important, very heavily charged issue, and it really goes beyond this particular entitlement of the golf course; it goes to many, many issues.

If I have the indulgence of the Chair, in the cities that are making progress all over the country, there are public/private partnerships. What that money does is generate revenue that goes to the general fund, so you don't need to raise taxes when you need money for whatever, whether it is additional money for streets that need paved because of inclement weather, need to maintain potholes. The money is there. Because in some cities you are entering into partnerships with office buildings. In others, they are doing commercial rentals. In Orlando, for example, they built, like we did, instead of a safety building in the downtown area, they built a city hall and they leased out two buildings to developers, and the money coming back will generate moneys for many years to come, maybe 50 years to come, that goes into the general fund, so taxes don't have to be raised.

What happened at the meeting the other day was that it was NIMBY; not in my backyard. For the most part, the people were there who lived around the park. I understand their concern. But I think much of the information which is communicated is wrong, out, and the communication is, very simply, this: Nothing is going to change on the site of that park. The location of the golf course and the square footage, mileage, whatever you want to call it, is not going to be changed by one iota. What they are going to do is have a jewel, a nine hole golf course, and the range is going to be lit in a matter that will not impact

the community. It will generate revenue. There is a \$3 million infusion of dollars that is need. Where there that \$3 million coming from? At this time next year probably the Rosenberg people will no longer be interested, which will be terribly unfortunate.

It is true as Mr. Flaherty said, and he testified that here we had a facility that nobody has any records, we don't know what money could have been generated, what our losses were, what would have happened if we had operated as it is. I think that is important. I have been here for 15 years and I have heard the issue of that golf course year, after year, after year, and I have always voted to maintain it in its present status. This is 1993, the economy is hard hit. We are talking about cutting back on a federal level, cutting services and budgets all over the place. If we don't progressively look at public/private partnerships for those people who are willing to come in and put their hard money on the line, where are we?

And then you have CMU, whom I happen to respect enormously, who said, "We don't know. We have no experience in this. We will give it a shot, because we are business people. We don't know what the costs are. We have no plan. We are going to look at it," and if it doesn't work they are not going to be there. What do we do? We put out an RFP, we get a couple of requests. The Administration picks the one they like, doesn't reject it, never rejected the plan, and now because a group of people who live around that particular facility don't want to have it, the rest of the community, every taxpayer in this city, is being penalized because we are not willing to take an infusion of dollars, not only that \$3 million to make it a wonderful course, but the management dollars that will generate revenue for this city. I think that is outrageous and I think the public has a right to know that and I have now said it.

Mr. Cohen:

Let me make a statement here, if I can. If you don't mind, let me state my position on this.

I think we need to see some leadership on this issue and we are not getting it. If the Administration is unwilling to take a position at this time, then I think the leadership will have to come from this Council. And remember what we have before us; we have a bill before us that authorizes the Administration to enter into an agreement. There obviously isn't support for that broad-based proposal, there also seems not to be support for the Carol Rosenblum plan. I have made my position quite clear; although I respect Carol Rosenblum very much, I have developed a set of principles that I think should apply to the Schenley Park golf course and do not think that the Carol Rosenblum proposal as I have seen it complies with those principles. At the same time, we have to move forward, because otherwise, we are going to lose not only a season of golf, but also the chance to really take leadership and be able to make this a sound operation, at

the same time protect the park.

So what I suggest, if what I am hearing from the Administration is that you have not taken a position on this, that we move forward. I would like to have Councilman O'Connor as the Chair of a committee and myself and any others to negotiate with CMU to see if we can come up with a plan that is acceptable to the majority of Council, and if that is possible that is great, if that is not possible, then to put pressure on the Administration to open up that golf course this spring. Councilman O'Connor put an item in the budget for \$80,000.00 to open that golf course this spring, and I don't think that because of footdragging by local government, that that golf course should be kept closed.

So what I am hearing -- and, Director Young, tell me if I am missing something here.

Mr. Young:

What I said is we will make a decision. I am saying that reported back from the meeting on Monday the information that the Mayor's office wanted to hear. There is still some outstanding information, there were some questions raised about the Carnegie Mellon proposal, that it didn't have enough specifics in it, and that is the kind of information that we are trying to get right now.

I think in concept there were a number of people who said they like that proposal.

Mr. Ferlo:

What proposal?

Mr. Young:

In concept --

Mr. Wagner:

Mr. Chairman, point of order. You have the floor.

Mr. Cohen:

Director, please respond to me.

Mr. Young:

There was support for the CMU proposal.

Mr. Ferlo:

There is no CMU proposal.

Mr. Cohen:

I am asking to you continue.

Mr. Young:

What we wanted to try to do is get some more specifics about that proposal so that we can do a better comparison of the two and then make a recommendation to Council.

Mr. Cohen:

What is your time frame for that?

Mr. Young:

I think we would want to certainly do it within the next week or so. We certainly understand the urgency of this and understand Council's urgency and also the leadership. So I think it would be within the next week.

Mr. Wagner:

Director, I really believe we need a pro-active position, as Mr. Cohen indicated, on the issue. There is a legitimate proposal in front of Council, and I know Mr. Ferlo has an amendment for the Carol Roseblum proposal. There have been others discussed. The other alternatives are the city continuing to operate the course. This city has proven that it is not capable of properly operating this course; therefore, we should consider alternatives. Therefore, the Carol Rosenblum proposal. The other alternatives discussed have been the Carnegie Mellon University proposal, and I suggested a fourth, the county operating this course. The county is not interested in doing that, so we are back to three proposals; in essence, the city, the Carol Rosenblum and/or the CMU proposal, which has not been submitted to this Council.

I think this Council should vote this issue up or down based on the alternatives in front of it. I would disagree with my colleague, Michelle Madoff. I don't think it is NIMBY, I don't think, "Not in my backyard" is the issue here, I think it is YIMBY; it is "Yes in my backyard." Carnegie Mellon University is a neighbor to this course. The people that have spoke out aggressively in regard to the proposals that we know about are neighbors to this course. They utilize the course, they are concerned about the course, they want it to be a public course, a better course than it is today. They want to make sure that it remains, in essence, a public course.

We have talked about and I have requested from the Administration a written legal proposal about the legality of having a for-profit operator on this course. To this date, I haven't received anything. I would like to have that in

writing. I think we should hold this bill one week and during the interim, make sure that the other proposal is in front of Council. We should vote both proposals up or down and we should do it as soon as possible. We should no longer permit this issue to linger. This issue has lingered too long. The public is here, there are people here today concerned about the issue. The public meeting the other evening in Squirrel Hill had in excess of 150 people at it. There have been several other meetings. We cannot let this issue linger.

I would like to see the CMU proposal in writing in front of this Council introduced next Tuesday. I would like to see Mr. Ferlo's proposal in front of Council, and let's vote them up or down. Let's stop not sending a signal to the public. Let's be pro-active. If both don't pass -- and I am supporting the CMU proposal, I will state that clearly. I think CMU, being an innovative and progressive university in this city, will do an excellent job, and based on the legality issue of a for-profit operator of a public facility, I believe the CMU proposal is the clear-cut best proposed in front of us. But that is my opinion; and other Councilmembers have their opinion, and I respect that very much. But we should vote one or the other up or down to make sure we know where we stand as soon as possible. I would like to do that.

I think what we should do today is hold the bill one more week, introduce the other bill or have the appropriate amendments to be put on the floor and vote on it.

Mr. Cohen:

Mr. Onorato and then a round.

Mr. Onorato:

As far as I am concerned, in my opinion there is only one plan here, and that is Carol Rosenblum's. My personal opinion is CMU doesn't exist, because I haven't seen a thing yet in writing in front of me, and I think it is very unfair for them to come forward at this point and talk a lot of rhetoric without producing anything. In my opinion, what it comes down to is does the city run it or do we try to do something outside the city, be it a private individual like Carol Rosenblum or any other ones that had an opportunity to come forward. That hasn't happened.

I believe that we should use the \$80,000.00 that we put into the budget, open up the course and run the golf course for one more year. And at the same time we should look at recommendations that came out of the audit that was performed by the Controller's office, and I have stated this and asked this we should go to the County and see how they are operating their two golf courses. I realize their facilities are a lot different than ours; space and they are in big parks. But they are doing something different, and they have a good track record.

of running these facilities. I think we should call Commissioner Foerester or whomever is in charge of the parks over there and see what they are doing there and try to streamline our operations and make some changes so that we can operate this park for the City of Pittsburgh, and we won't run into the legal hassles of the will.

I just think as a policy, that this city can operate that at a profit or at least at a break-even point and make some changes that have to be made at this point.

I am ready to vote on any of the plans, because I want to move forward with opening up as a city. I know we voted that 80,000 because I think we all realized that it might fall back on us. That is why we put the 80,000 into the budget, and Councilman O'Connor made that amendment and it was supported I think unanimously by everyone here to put 80,000 in. I would like to see this opened up. I don't want a confrontation with the Administration; you saying, "We are not going to do it," and we are telling you to do it. I think we should sit down and see how we can do this and minimize the losses and reach a break-even and let the city run it. Because in reality, we have to deal with what is going on here.

We have an Administration that is leaving eventually within the next seven, eight, nine months, and I don't think we should run into anything. We should operate it and give the new Administration the opportunity to deal with this issue and hopefully improve the park, improve the golf course and run it as a city-owned facility. That is what my personal opinion is on the whole issue here, not Rosenberg versus CMU, because it is Rosenberg plan versus should the city operate it, as far as I am concerned.

Mr. Ricciardi:

Director, I think this issue has been around since 1986, '87, as far as I remember reading the newspapers, and I am not sure why the Administration is dragging their feet on making a decision.

Let me ask, is there a written or oral proposal from Carnegie Mellon University?

Mr. Young:

The proposal that we have from Carnegie Mellon is really a conceptual proposal that they will operate the golf course the first year as is, and then that particular year what they will do is see what kind of appropriate changes need to be made. As I have heard from Councilman Onorato and as was heard from the meeting the other night, there are people that want more specifics laid out on paper, and that is what we are attempting to do.

Mr. Ricciardi:

You are going to be able to come to this table next week with proposals before us, written proposals, in depth, what is going to happen?

Mr. Young:

I think we pretty much have what the Rosenberg proposal is.

Mr. Ricciardi:

I am looking forward to seeing the CMU proposal.

Mr. Young:

The CMU proposal with more specifics.

Mr. Ricciardi:

On this issue I have been talking to Mr. O'Connor on it for several reasons; one, it is his district, and second, for P&R. And not to put my colleague on the spot, but as he is saying now, he doesn't believe you are in a position to speak for CMU and from the information we received, there really is no proposal from CMU.

What I am trying to ask you, Director, is, please, next week come to this table with some concrete materials especially in writing so we can move on to this.

I am ready to make a decision. The Administration lacked the leadership and foresight, and do you see what happened with the MacIntosh site? Nothing. Let's not make the same mistake with this golf course.

Mr. Ferlo:

I think we have to be clear on what we are doing here. The reason why I am suggesting we table this and not hold this yet another week for another nebulous discussion that we know -- and let's be all clear and upfront here at this table. There is a majority support for Carol Rosenblum's proposal and there is a majority support for some notion of CMU taking over a golf course when it is a bunch of rhetoric and everybody knows that. This is personality politics here. It is not critiquing and analyzing a specific proposal. There is one proposal on that table that individuals have gone to great expense and a lot of passion in that proposal. I think it is unfair the way we have treated this proposal. I think we should discuss their proposal. I would love an opportunity to discuss that proposal with all the provisions established by way of the substitute amendment, taking into concerns a lot of the criticisms that were justified, that were raised at the public hearing, raised

by adjoining property owners, raised by others who are passionate and know a lot more about golf than Jim Ferlo. Unfortunately, that is not going to happen for a variety of different reasons. As far as I am concerned, neither is any notion of rhetoric of a CMU proposal, that is not going to happen, either.

Why I suggest we table this is we should put it back in the corridor where it belongs, because we are looking like the laughing stock of this city, Council, and we are not the ones to make a decision. We should put that court, that pressure and that focus back on this Administration, as Mr. Onorato has suggested. There is not majority support. Although I would love an opportunity to talk about Carol Rosenblum's proposal as amended, because nobody on this Council has come to me and said what is bad about it, including your broad notion of some principles, Mr. Cohen. That is not going to happen.

The reason why I think we should table this darn thing is because we are in the midst of a change of administrations and we should put the pressure where it is. The Administration at this point, all of our attention should be focused on getting the Mayor and this Administration -- and this is probably something that even the proponents of and adversaries to the proposals of Carol Rosenblum probably agree on, and that is we want to make sure the golf course opens on time this year and continues to operate. I think that pressure should be back with the Administration. We are not the ones to negotiate all the particulars of the contract, we are not the ones on Council to get out there and open up this course. By delaying this yet another week for another discussion that we know is not going to go anywhere because of the votes that have indicated their bias so far around this table, we are wasting yet another week, and I believe the golf course generally opens sometime very soon. It is already March 10th. I say we table this darned thing and we put the pressure on the Administration to make sure they open and operate the golf course this year. It would take a lengthier time to review any new arrangements. But there is not majority support for Miss Rosenblum and there is not majority support for CMU, and we are going to be the bad guys. I will be damned if I am going to be a contributing factor to this course not opening on time. It should open, it should be something available to all of our residents. And this is a crazy situation.

Mr. O'Connor:

I think by not voting on this today we are showing bias. We have had four neighborhood meetings, and at the JCC we had over 300 people and we discussed this proposal from top to bottom. We had a post agenda last week on City Council. I think, as you have said, Miss Rosenblum passionately worked over six months on this proposal with Arnold Palmer, she did every detail. She showed it to the neighborhoods and she showed it to

City Council. I agree, there is no CMU proposal. I think we owe it to Miss Rosenblum, and I do owe and we owe leadership or this Council, because at the public hearing at Alderdice yesterday, they kept saying, "Why is Council not doing something with this golf course?" So we have been avoiding it trying to work, while the Administration is trying to work something out, and so far, no matter what they are working out, the neighborhood has spoken.

I think it is time for Council to vote on the Rosenblum proposal. There is no CMU proposal, I agree with you. It may not come until next year. We should vote today on the Rosenblum, whether we want it, and we owe it to her. I am not going to ask the residents of this city to come to another public hearing, because we are the laughing stock, they are fed up; why can't we make a decision. They don't understand the footdragging may be across the hall, or if not footdragging, trying to work it out. They have tried to work it out.

Your proposal here, although it has changed a couple items and I don't know if we can -- I don't want to use the word "trust," but it has changed in character, there are a lot of amendments here. It is time today to take a preliminary vote. There is only one thing on the table, if that is voted up or down, then we can move on. The golf course should be opened in two weeks. I doubt if CMU will come up with a proposal in two or three weeks.

Mr. Ferlo:

Well, there are not the votes for CMU.

Mr. O'Connor:

Okay. CMU should not even enter the picture today. We have a proposal we have been talking about. We had a post agenda last week. The neighbors have been here in City Council upwards, I don't know how many bodies would fit in this Council but they have all been here, and they have been to three public hearings. If we prolong this again, then we will have to ask the residents to come to another public hearing to discuss the Rosenblum proposal which has not changed much since day one; in fact, it hasn't changed except for taking alcohol out. But you did, to keep it open, change the prices for this summer. I think we should vote today and put it behind us, if it will go private or the city will have to do something within the next two, three weeks to open it.

Mr. Ferlo:

Motion to amend by substitution so we actually have something to vote on. The bill that is right now before us is bill that says in half a sentence that the Administration has the power to do anything they want.

Mr. Cohen:

Is there a second?

Mr. Onorato:

Second.

Mr. Cohen:

Discussion on the motion.

Mr. Ferlo:

Discussion on the amendment.

Mr. Cohen:

I do think we should vote on this. I don't think it is fair to Carol Rosenblum, who has put a lot of work in this, to hold or table this for another period of time. I just don't think it is fair. But at the same time, I think we have to take action to resolve this issue. And to people who say that we should wait until the next Mayor comes in to resolve this issue, I couldn't disagree with more.

Mr. Onorato:

I didn't say that.

Mr. Ferlo:

Neither one of us said that.

Mr. Onorato:

I said open up immediately.

Mr. Cohen:

I think what we should do is take action ourselves, because that would be effectively one more year before this thing gets resolved.

I agree that we should vote on this proposal. If this proposal doesn't pass, then I think we should move forward as quickly as possible to negotiate with CMU to see if we are can get one --

Mr. Ferlo:

You keep missing the boat, Mr. Cohen.

Mr. Cohen:

If not, then to put pressure on this Administration to open up the golf course this spring. But we have to take leadership here.

Mr. Ferlo:

Mr. Cohen, you characterized something incorrectly. Both Mr. Onorato and myself indicated that if there is not majority support for whatever proposal that is on the table, we feel it is incumbent upon the Administration to take responsibility to continue the operation and making sure that the golf course is open and operating, that nothing is lost and everything is made whole this year. The reference to the next Administration was whether or not something in the future would be negotiated either with CMU or anybody else.

Mr. Cohen:

I agree.

Mr. Ferlo:

On the substitute, I see Michelle left, she earlier referred to the Rosenblums as the Rosenbergs, and that is probably how they are feeling right about now.

It has been a long time that the Administration -- I can't even remember all the dates -- initially put out a request for proposal. I believe there were several individuals of a for-profit nature, including Carol Rosenblum and company, that submitted what I am sure they all felt was a bona fide offer. For some reason -- and I don't even know that all of Council is privileged to know what those other proposals were -- one proposal, and that is this Carol Rosenblum proposal, did emerge as some bona fide proposal. And that, in effect, has been what has been kicked around for the last six or seven months. The initial proposal submitted by Carol Rosenblum with Arnold Palm has significantly changed by way of an amendment by substituting as what is proposed before you today. The reason why it has changed is because of where the Administration's view is at regarding what is happening with the course. It has changed because of legitimate criticism in opposition from adjoining property owners, as well as others who feel very strongly about the character and quality of Schenley Park. In other words, the amended bill that is before us now that we should initially take a vote on I think is sensitive to many of the principles that all of us care about.

When I fought and proposed for the historic designation of Oakland, I made reference to the City Beautiful Movement and the fact that Schenley Park was an important part of that historic core. I don't feel at this time this amended substituted bill

which proposes to initiate an arrangement with a private for-profit operator in pretty much a public/private partnership with this operator, that nothing in this proposal is contrary to the concerns that have been raised at the public hearing. And if there are, I would like Councilmembers, including my colleague, Mr. Cohen, to comment on that, because I am open for that discussion.

What this substituted bill does is recognize, very frankly, that there are outstanding legal problems. Mr. Wagner asked about it over probably a year ago in terms of how we are going to proceed. Until such time that some of those legal issues are resolved, it is basically a two part proposal: It would say that the private operator would continue to operate this year under a new arrangement, while long arrangements continued to work out what the details of any permanent contract would be.

Councilmembers, we are not the ones to actually negotiate the contract, but we are not going to give this a catch-all resolution, a power to the Administration, without a whole list of a bill of particulars. What this amendment proposes to do is basically frame what the parameters of that contract that the Administration and the Solicitor are empowered to negotiate. So this amended bill would propose to contract with Carol S. Rosenblum, Incorporated, around the basic proposal that was submitted, recognizing that the management golf organization that is now a part of the deal is a company called "Green Visions," and not originally Arnold Palmer as hoped for. There are probably three or four, as Mr. Young knows, nationally recognized golf management operations in addition to Mr. Palmer, and one of them happens to be this Green Visions. They characterize their expertise as operating upwards of 20 different golf courses around the country.

The bill of particulars here would change the course from 18 to 9 and it would maintain the fee schedule which Mr. O'Connor spoke up about as well as others, and certainly we heard testimony from residents, primarily elderly and low income residents who are concerned about any fee schedule, and this preliminary interim proposal I think safeguards and recognizes the legitimacy of making sure that we don't golf people out of existence, in terms of the price. In response to this motion that somehow this is becoming a country club or something of that notion, that is just an outlandish characterization of this proposal.

There were legitimate concerns about parking and traffic, about lighting. And the proposal here tries to establish some parameters. I want to go through them very quickly. And I apologize for taking all this time, but I want to make it clear what this proposal entails.

There was legitimate concern -- and I agreed with and I think all of Council -- about the notion of having alcohol in or at or near or a part of any development proposal regarding the golf course. And this proposal would tell the Administration that in any contract you sign, it has to be clearly stipulated

that there is no alcohol permitted in the golf course, around the streets, in the clubhouse or anywhere. So that is fundamentally different than the original proposal that was envisioned. That would be some specific thing that we would fit into the resolution and we would tie the hands of the Administration on any deal that they would sign.

There would be a provision -- again, many of these points were points that the Squirrel Hill Urban Coalition came to the microphone, Karen Green I see out in the audience, came to the podium and expressed a view that there had to be a bill of particulars in any notion of a developer, CMU or anybody else operating the golf course. If we vote on this today, we are tying the hands of the Administration on these parameters. I will read them very quickly.

A, a provision for a return of some percentage of revenue to be utilized in an effort to enhance the entire Schenley Park and/or related parks department infrastructure city-wide. The notion here, and it was a legitimate one, is that we want some profit. That is part of what we are doing in the first place and to why we are seeking this arrangement. I think it is a good thing that, if we can specifically before any contract is signed with Carol Rosenblum and Green Visions, that we are assured that some profit is extracted. These people are going to be making profit, hopefully. We decided sometime ago that "profit" is not necessarily a dirty word. What we are saying is if they get it we want it, too; we want a share of the profits and we want that to go back into the Parks Department. And the suggestion from the community was the Administration spent all this time having the commission on the centennial of Schenley Park, there is a master plan, why not hire a competent manager to deal with the broader issues affecting Schenley Park? So the provision here is that some percentage would go either to pay for that staff position for a Schenley Park manager or some other infrastructure needs of the park.

B, a provision to maintain the multiple use character of Schenley Park, so long as the primary use as a golf course is not impeded. There is a lot of concern around this table. I know myself, I have been supportive of the Vintage Grand Prix. Now, there is obviously a problem with Vintage Grand Prix desamating and taking over green space and lawn space that is partly the golf course. That doesn't mean that this golf course should be so inclusive of only golf not to recognize that there are other park-related needs that I don't think have to be in contradiction with the primary use as a golf course, like the Grand Prix event, like people being able to walk down that roadway for jogging and other kinds of purposes. We are saying we want to make sure that any deal signed we maintain that, and that the golf course recognize the multiple use character of the park area. Those are details that the Administration would have to work out.

A provision for conservation of the natural environment and landscaping with a particular emphasis on tree preservation.

have already had it stipulated by Miss Rosenblum that there are very little, if any, trees that are to be removed and the area that is called into question on the construction of the proposed practice range wants to maintain the trees. So again, we are saying in this stipulation that we want it stipulated that we will not allow the destruction of significant trees that have been there upwards of 80, 100 years in that park. That is something that would have to be contractually part of any deal that you sign.

A provision to continue park availability for city-sponsored events. That is further trying to amplify and clarify by way of a contract what are those events. I don't know if the Marathon goes through there. We know about the Vintage Grand Prix. I don't know if the Great Race is an issue. Those are things that should be thought about ahead of time before anybody signs on the dotted line.

A provision to ensure rates that are reasonable in comparison to other public facilities, to ensure public accessibility especially to our youth and elderly. I think we have experience in the county golf course, we can survey other municipalities and know what the rates are. We want some assurance, just like the utility rates, that we are not buying a pig in a poke, that we are not signing something now and next year some rates get outrageous. We want a stipulation as to what some reasonable inflationary rate increase is regarding the issue of rates. That is something we do as a Council and we want it stipulated by way of a contract.

We have clearly the provision prohibiting alcohol in the entire park.

We also want a provision minimizing and limiting additional paving for parking to no more than 100 spaces at the practice area and no changes to road structure unless demonstrated to be beneficial to the park as a whole and only if supported by a publicly reviewed traffic and parking study. This is not any constraint to us. This Council hundreds of times through the Planning Commission has made to be required a formal parking and/or traffic study. That is something we voted on as part of the conditional use process. We want it stipulated here in the contract. We don't want changes to the roadway and we want all that to be reviewed through some process. I assume it would be through the Planning Commission, but that is something we want to be part of the contract. Mr. Cohen and others have raised the issue about 100 spaces being something too devastating to the park. I question that in terms of where this is proposed. It is significantly away from Darlington Road, it is in a ravine, but that is something I would like to see debated and discussed and we try to argue out what that contractual limitation should be.

A provision to access and review relevant financial records. I don't know what that clause should be, but the Law Department has negotiated other contracts where we provided space. We have done it for the Aviary, although it is a

non-profit model. We probably are going to be doing it relatively to Phipps' Conservatory. I think the same standard should apply here. Obviously, if we are looking at profits and all that, we have to be assured that we have accessibility as appropriate public officials, have accessibility to review any relevant financial records.

We want a provision to guarantee a formal public review of building designs, so as to ensure the appropriateness to the historic nature of Schenley Park. The proposal that I saw actually envisioned building a clubhouse that was originally designed in the 1920's. I assume that was not a lie, I assume that is what Miss Rosenblum intended to do. If she did, I don't see why we can't make that something contractually part of any deal. If it is not, then I don't want to sign this deal. I think that is something we should look at. We have an Art Commission, an Historical Review Commission, a Planning Commission. There are any number of public bodies and processes that we could stipulate in this contract that that person would have to go through in designing or altering anything in that park. I think that is what we should hold these people to.

We also have a provision to clarify how the management of the golf course will relate to other management issues affecting total park operations. I believe Miss Green spoke about this little bit. Obviously, this shouldn't be viewed as all the sudden we have given away a piece of the land and it is something separate and distinct from the rest of the park. That is not the case. We want this thing to be integrated into whatever the other agendas are of the Parks Department and, as a matter of public policy, of this Council. So we want that spelled out in a provision guaranteed in the contract.

And also, another point is a provision would have to be into this contract establishing a citizens advisory panel who will provide input to the Director of Parks and Recreation who under your original RFP ultimately grants final approval over all improvements and modifications. We don't want to say, "He is the golf course. We no longer have any say so." I mean, obviously, if there are changes, including the construction activity that would go on in the clubhouse or on the practice range, there is a whole body of people out there, including adjoining property owners, that have a lot of expertise. Within that community there are engineers, architects and people that are passionate about the aesthetic quality of Schenley Park. I think it would be easy to put a quality panel together. I am sure many names could come from the Coalition itself. I think that would be an important group to provide input and monitor this contract, monitor what would be going on in the park and have some input to the Director.

And three other things briefly and I will close. A provision to ensure minimal inflationary increases for future golf course fees. This proposal stipulates the initial fees this year of \$200.00 per year for seniors, \$200.00 per year for juniors through age 17. We want some assurance here that we

contractually limit what those inflationary increases would be.

Two last things; a provision to ensure an affirmative employment effort for city residents, especially minorities and women. There was a lot of discussion at the table. I feel that this new proposal actually opens up some opportunity for young people to be caddies and things of this sort, people in the clubhouse, other kinds of positions that would open up. My preference always, and I have sponsored residency requirements for jobs at the city authorities, is that those jobs should go to city residence. It is our course, we are the ones footing the bill, we have borne the burden all these years, and I would like to see a residency requirement in terms of employment be part of any contract with CR Rosenblum and Green Visions.

That is basically what the parameters would be contractually.

Mr. Young:

If I may comment. Councilman, you have hit a number of obviously very important issues here, and in any agreement that the city goes into, these certainly will be issues. I don't think there is any doubt about that. But I also want to make sure for the record that the Rosenblum proposal we feel is a good proposal.

Mr. Ferlo:

You have had six months to come to the table and say that.

Mr. Young:

Jim, if I can, again, for the record, we advanced the proposal, we selected it out of the four that we received. We advanced it. And as we have done in almost anything else, we want into a public process, which again, this is a major facility in the community, and there was a lot of opposition to the proposal.

Mr. Ferlo:

Legitimate opposition.

Mr. Young:

Legitimate opposition. And out of this, out of all the meetings that we have had, there has still been this opposition to it, and that is what has hung this thing up like it has. So I don't want people to think that we haven't thought a lot about this proposal. It was the kind of thing that we went out and asked for. Once we got it, brought it back and put it through a public process and City Council had a hearing on it, heard all of the opposition to it, and that is what has slowed the whole

process down.

I think all of us are getting very concerned and anxious because the golf season is arriving on us. Carnegie Mellon threw another proposal out on the table and gave folks an opportunity to take a look at what they can do.

Mr. Ferlo:

There is no other proposal. That has nothing to do with the issue on the table.

(Deleted text.)

Mr. Onorato:

I want to clarify my position one more time, since there seems to be some misunderstanding of what I stated.

This proposal I think is very good. However, I believe that the city could do a lot of what is in here. I believe that we could put the capital money into that facility and turn it around and make money. The city could make the money that she is proposing here. This is no reflection on her proposal at all, because I think it is a great proposal.

My position is we open this course like we have been doing for the last who knows how many years, operate it the same way as last year and develop a plan for capital improvements to do something like this so that we can make this course profitable. I think it could become profitable and I think we as a city could run it and make a profit. That is my position. I think it should open immediately and I don't want to drag our feet on this and I hope that we keep to the same schedule that we have been keeping to in prior years.

Mr. Wagner:

Thank you, Mr. Chairman. I agree with Councilman Onorato that I think the city could also. Again, that is not the issue in front us and the issue in front of us is the amendment by Mr. Ferlo.

Many of the items in here are excellent ideas and suggestions; I can't disagree with that. However, still, the very important critical point of this whole proposal goes back to the deed of Mary Schenley to the City of Pittsburgh 100 years ago, and it is the opinion of several people that have analyzed that deed that we cannot utilize this public property for a for-profit margin given to a private entity. That is really the issue, I think the big stumbling block of any proposal of this type, and it is the reason why I have stated, going back months ago, that I thought any proposal from a private entity put forward to this government had serious questions and problems associated with it. And is the reason why I will vote no to this proposal.

Again, Director, I have not received a legal opinion. I have seen the portion of the deed that the public is referring to. A speaker at the public hearing talked about it and some people at the public meetings have talked about it. The way I interpret those couple paragraphs of the deed, we cannot utilize anything in Schenley Park, we cannot turn it over to a for-profit entity. Consequently, that is what this proposal is in front of us and is the reason why I will vote against it.

Mr. Cohen:

Thank you, Mr. Wagner. I am going to speak to this, also, please.

Mr. Ferlo:

Mr. Wagner for some time has raised this point legitimately, and I am wondering, does the Administration have something in writing in response to that question? If we could have that between now and Tuesday.

Mr. Cohen:

On the legal question? I agree we should absolutely have a legal opinion on this.

Mr. Ferlo:

I am asking for it between now and Tuesday.

Mr. Cohen:

Mr. Perry can you send that, please? Mr. Wagner, are you finished?

Mr. Wagner:

Yes, thank you.

Mr. Cohen:

Mr. Ferlo, you asked me a couple questions about this and I think you deserve an answer.

I mentioned before that I had developed some principles just for myself and my own vote on this on how I think that the future Schenley Park Golf Course should be. And really, there are six principles, and I would like to state them briefly and then apply them to this proposal.

One is that the golf course be accessible to all city residents who wish to use it.

Two, that they have affordable fees, particularly those fees for low income residents and seniors.

Three, that we maintain the multiple uses of the golf course, like walking, jogging and bike riding, subject to obvious safety concerns.

Four, that there be ethical and responsible management of the operation, especially in light of the city's problems in the past.

Five, that there be no development to the structure of Schenley Park, road structure or paving for parking.

And finally, that there be no liquor license for the facility.

I agree that the proposal that you --

Mr. Ferlo:

One out of five ain't bad, Mr. Cohen.

Mr. Cohen:

The proposal you set forward has many of those, but it doesn't have all of those.

Mr. Ferlo:

It has five.

Mr. Cohen:

Mr. Ferlo, I gave you the floor for a long time, a long time. I think I deserve the same respect.

Many of those points are in this proposal, but some of them aren't. I specifically have three problems with this proposal. I don't have any problem with Carol Rosenblum. In fact, I think that she is a very bright individual and somebody who is really dedicated to this city and really wants to make this golf course a better golf course. But I represent a district and I represent a neighborhood and have a responsibility to decide whether or not this would be best for the neighborhood. I think there are a few things that bother me about this proposal. One is, frankly, it is put in terms of a lawsuit, it is from the beginning. This amendment by substitution has been put in terms of "If an appeal is taken to court," et cetera, et cetera. I still don't understand that, but I will take it at its face value that everything in this proposal is to be applied to the golf course whether or not there is a lawsuit or not. But I can't vote for anything that is put in terms of only if there is a lawsuit will these things be done.

Secondly, the paving for parking, I just have a problem with that, for up to 100 spaces and maybe even more if it is demonstrated to be beneficial to the park. I don't know who makes that decision, but if the operator makes that decision, I have problems with it, but I even have problems with the 100 spaces paving over for parking as it is. I don't want to pave

over a park for parking, any part of that park. We have disagreement on that, but I just can't support that. Finally, I do think that there have to be fee decreases for people of low income or for seniors. And this park, this golf course, is very different from a private golf course, and that means it has to be accessible to everybody, especially people who would not be able to afford other golf courses, and I don't see any provision for that.

I think what it comes down to, maybe, is different theories on what the golf course and what Schenley Park should be like. Some believe that we should develop this golf course so it can compete with suburban golf courses. I don't believe that. I think we have to make it better than it is now, more efficient, better run, more responsible in management and ethical management, but I don't think this should be a golf course competing with suburban golf courses. It is a public park. We have to preserve that park. I don't want to see the golf course developed very much at all. I prefer to see it similar to the way it is, only more efficiently run.

I think the neighborhood has been very loud and clear on this and they were certainly on Monday night, that we have to take action to resolve the issue, but at the same time, not to develop Schenley Park and not to commercialize it. Now, as I say, this proposal I think goes much of the way in that direction, but not far enough for me. I also can't support a for-profit enterprise in that golf course. It may sound crazy to some people, but there is something very precious about Schenley Park and about Mary Schenley's will, and what has to go in there is a nonprofit enterprise that involves a partnership with the city.

So, for those reasons I can't support this resolution, although I very much admire and respect the person who put it forth. Those are my thoughts on it.

(End of remarks.)

(Transcribed by Helen L. Kriebel, Stenotype Reporter)

Mr. Ferlo:

I think it is appropriate at this time to table this bill and I make a motion to table it.

Mr. Darkins seconded the motion.

Mr. Cohen:

I oppose the tabling of this bill. This person has been put under a great deal of strain. This bill has been before us for a long time and I think out of respect to the person who put forward this proposal, as well as the citizens of the City of Pittsburgh, we should vote it up or down.

Mr. Ricciardi:

I will be voting to table the bill, in respect also in courtesy to Director Young who has said that within one week that he would like to come back to the table and discuss the bill and the Administration's position on the bill. So, I think by tabling the bill we keep the bill still being able to be discussed in this legislative term.

Michelle Madoff:

For the record, number one, Carol Rosenbloom, I believe, has requested that we didn't have the votes and indeed we did table it. And I think that the points made by Mr. Dan Cohen are absolutely correct. This is a person who has been put through hell in violation of our own City rules, meaning, that when we go out for bid on a contract there is a due date. And if you don't get your bid in in time, or there's anything wrong with that bid, it's not signed correctly, what have you, you lose that opportunity. This bid was never, never rejected.

We are going to be subject to litigation, and that means all of us here in Council as well as the Administration. And there is supposedly the will by the Administration or whomever to look

at some kind of a plan from Carnegie Mellon. And while I respect Carnegie Mellon, I certainly respect the President, to my knowledge there is, A, no plan; B, their concept is to come in and administer having the experience with their students, perhaps some of their advanced degree students, to do some administration. My understanding is that they said they'll put no money in and if they start to lose money, they'll walk away.

Until I see a plan that has any credibility, we have done a great injustice to Ms. Rosenbloom, and I also think that that ought to be in the record.

Mr. Ferlo:

The reason I want to table the bill is, for one thing, there wasn't a full discussion. All members were not present. It's clear that there is division in the house on this issue of the Carol Rosenbloom proposal. I don't think it would be productive at this point to recommit it until Wednesday's session. If some grandiose proposal all of a sudden materializes from CMU, I hope we would do diligence and look at that. I've already said my opposition to any CMU proposal.

Mr. Cohen's comments, on the other hand, amount to the Big Bad Wolf speaking out and protecting Little Red Riding Hood. The fact of the matter is that he doesn't want to table the bill because he hopes to win his parochial victory of killing what is, in fact, the only viable proposal for the future operation of that golf course. And I would respectfully ask that we table the bill and see what will transpire over the coming weeks in terms of the Schenley Golf Course operation because it's clear that the Administration, unless they change their tune, is not interested in opening the course on time with municipal workers. That's disappointing. I think that's what should happen in this interim period. I have

already made clear my opposition to CMU, so I think in terms of not cutting off our options but keeping all the options open and viable, I would respectfully ask that we recommit this piece of legislation.

Mr. Cohen:

In response to Councilman Ferlo, I'm not sure whether I'm the Big Bad Wolf or Little Red Riding Hood. I didn't quite understand the analogy.

Mr. Ferlo:

The point is --

Mr. Cohen:

Mr. Ferlo, I gave you the respect and I would prefer if you would give me the same.

Mr. Ferlo:

It's the forked tongue that always gets --

The Chair:

Excuse me. One at a time.

Mr. Cohen:

There was a community meeting on the Schenley Park Golf Course a week ago Monday. Mr. Ferlo wasn't there so I'll tell him what happened there.

There were about 200 or 250 people there and virtually every single one of them was in opposition to this proposal. Now, if he calls parochial to mean that we stand up for the residents of neighborhoods we represent, then call me parochial. But I think that that's one of my responsibilities.

Secondly, I think I laid out very clearly on Wednesday's meeting what it was about this proposal that I didn't like. I don't like the fact that it privatizes Schenley Park. I don't like the fact that it doesn't have lower fees for lower income people and seniors. I don't like the fact that it paves over a part of Schenley Park for a 100 car parking lot. That is a very, very important issue to me. Schenley Park is truly a jewel in the City of Pittsburgh.

I respectfully disagree with the other people who have different views, but my view is that I cannot, in good conscience, support a proposal that would privatize and develop Schenley Park. It is too important for us to keep, to be able to preserve and to keep.

So, in response to Councilman Ferlo's comments about being parochial, if caring about Schenley Park and supporting the neighborhoods of the district I represent is parochial, then that's what I am.

The Chair:

The motion is to table this bill and that is what we should be discussing.

Michelle Madoff:

You gave the latitude to my colleague to address the issue and I would like the same privilege, please, to address the issue of why he voted and what happened at that meeting. I was there and I'd like to talk about the other point of view.

The Chair:

Please. I have given everyone that latitude so far, including yourself and Councilman Ferlo.

Michelle Madoff:

May I have the opportunity to set the record straight?

The Chair:

If everyone wants to vote on the bill, fine.

Michelle Madoff:

I'd like to set the record straight.

The Chair:

Roll call vote on tabling or not tabling.

Michelle Madoff:

I think everybody knows what happens here. The people that were at that meeting were the people that live around the golf course and didn't care about the taxpayers putting \$200,000 and putting sizable millions of dollars into redoing the course. I want everybody to know that. That's the fact and I vote to hold.

The Chair:

Is there any further discussion on the motion?

And on the question, "Shall the motion pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Darkins
Mr. Ferlo
Michelle Madoff

Mr. Onorato
Mr. Ricciardi

AYES 5

NOES 3

VOTING NO:

Mr. Cohen
Mr. O'Connor

Mr. Wagner
(Pres't)

And a majority of the votes of Council being in the affirmative, the bill was tabled.

Also, with an affirmative recommendation,

Bill No. 2054

A Resolution entitled, "Resolution authorizing the Mayor and the Director of Parks and Recreation to enter into an Agreement to provide for the City's share of improvements to the Bellefield Boiler Plant and to transfer to Presbyterian Hospital and the University of Pittsburgh the capacity of an additional Boiler to be furnished by said Hospital and University."

Which was read.

Also,

Bill No. 2055

A Resolution entitled, "Resolution authorizing the Mayor and the Director of Parks and Recreation to enter into an Agreement to reflect the revised ownership interest in the Bellefield Boiler Plant after the purchase of capacity by Presbyterian University Hospital."

Which was read.

Also,

Bill No. 2056

A Resolution entitled, "Resolution Repealing Resolution No. 1186, effective December 20, 1991, which authorized an Agreement with a

bank for professional services in connection with the implementation of a Visa/Mastercard Payment Program to be instituted at Phipps Conservatory for counter sales and permits."

Which was read.

Also,

Bill No. 2060

A Resolution entitled, "Resolution providing for a Cooperation Agreement(s) with The Carnegie for renovation to various facilities, cost not to exceed \$250,000.00."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. O'Connor
Mr. Darkins	Mr. Onorato
Mr. Ferlo	Mr. Ricciardi
Michelle Madoff	Mr. Wagner
	(Pres't)

AYES 8 NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Mr. Ricciardi presented

Bill No. 2133

Report of the Committee on Engineering and Construction for March 10, 1993 transmitting two resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 2061

A Resolution entitled, "Resolution providing for a Contract(s) to provide access by the handicapped to various City facilities, at a cost not to exceed \$75,000.00."

Which was read.

Also,

Bill No. 2062

A Resolution entitled, "Resolution providing for a Contract(s) for Renovations to City Council Chambers, Phase I, at a cost range of \$1.00 - \$50,000.00."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. O'Connor
Mr. Darkins	Mr. Onorato
Mr. Ferlo	Mr. Ricciardi
Michelle Madoff	Mr. Wagner

(Pres't)

AYES 8

NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

MOTIONS AND RESOLUTIONS

The Chair:

I'd like to welcome four visitors to the City of Pittsburgh and to City Council, four Nigerians of the International Visitors Council, who are with us today. I'm going to try to accurately say your names. Eva Heart, a State Legislator; Pat Endrimota, a journalist; Gloria Kilanko, from a Labors Committee; and also Rijalia Sarni Amend, a researcher. Welcome to City Council.

Mr. Ferlo:

Mr. Wagner, I have a couple concerns regarding our Director, Mr. Walluk.

First of all, he's not able to be here to accept this but I did want to present this proclamation and plaque to Director Walluk. It's says "Welcome back to Pittsburgh, presented to John Walluk, Director of Public Works, in recognition of your outstanding absence during the Winter Blizzard of 1993." And I would hope that the Clerk's staff will courier this over to the Director's office.

Having said that, I do want to thank the Department of Public Works personnel because I think they made the best effort and did one hell of a job, despite the fact that there are still problems. There are probably criticisms that can be raised. I have some, certainly, but I would rather not focus on them at this time.

Suffice it to say that there are a lot of qualified people in this City and within that Department that should have had an opportunity to rise to the top.

But I am a little bit upset at Director Walluk, and I have a memo here signed by Director Walluk to Roseanne Casciato, Assistant Director of Administration.

"Dear Roseanne:

Attached is a copy of a letter I recently received from Keith Reister. Keith worked for me as an intern up in Binghamton, New York, and I found him to be one of the brightest people that I have worked with over the years. He is a real go-getter, self-starter, and a lot of my successes in the recycling and garbage bag system in Binghamton were due to Keith's ability to research information, come up with alternatives and to present options and recommendations.

As you can see from Keith's resume, he is well educated and would be a real asset to the City.

I would love to have him come work for the Department of Public Works. He could do so much for us.

Let me know your thoughts on this matter."

And he has attached a letter from Mr. Reister to Director Walluk congratulating him on his great position becoming Director of DPW in Pittsburgh, obviously looking for employment.

I just want to say one thing. We have a lot of qualified people right in the City of Pittsburgh who have lots of credentials who need an opportunity to have a livelihood in this City. I'm sick and tired of elected officials, including the

Mayor's Office, getting on the podium and talking about how we have to keep our young people in this City, how we have educated college produced young people who want to work, who have skills, and yet, we have a mixed policy from the Administration on the issue of employment.

I know Mr. Craig is going to be right out in pen at the Post Gazette tomorrow calling me the usual parochialism, Mr. Cohen. But the fact of the matter is that it's the policy of the City of Pittsburgh to do two things. One, to hire people who are City residents for employment, except by the State Legislature who made an exception in Police.

Secondly, there's also part of that policy, at least I would hope it would be, although I haven't always seen evidence of it, that people who have worked five, ten, fifteen, twenty years, in a City Department have an opportunity to rise to the top. That happens in only one Department in this City and that's the Police Bureau and Fire, because of the Civil Service protection and stipulations regarding advancement and career advancement within those departments. It should be something that happens in each and every City Department, including City Council. Nobody should be exempt from that, including the Controller's Office.

I'm just saying to my colleagues that I'm a little P.O.d. at Director Walluk, not only for his absence during the great blizzard because he had a responsibility to be here, and I hope he'll take this award and put it on his wall, but I'm also upset at his attempt to hire his buddy from Upstate New York, which is a great place because I came from there. But, unlike Mr. Walluk, I have been here for 26 years.

So, I would appreciate a response from the Administration on exactly what is their policy regarding hiring people in key management

positions. Is it according to the Charter and the City's policy to promote City residents for employment? Is it a policy of the Administration? If the palace guards respond to this, I would appreciate it, Mr. Wagner. Is it the responsibility of the Administration to provide opportunities for people to advance within a City Department? I am just very much at this time curious as to what the personnel employment policy is of City government.

Mr. Darkins:

Mr. President, and my colleagues on Council, especially to Jim Ferlo, my close friend. In regards to Director Walluk, the Director of my Department, he and I were in conversation and even as of today, Mr. Walluk was stranded out of town. The media should know that. He was stranded. He left here Thursday going out of town. And as so many people were stranded here in Pittsburgh and couldn't get out, he couldn't get back in. And I don't think that we should hold this upon his head upon his not being here.

As we do know, in our Department of Public Works, we have such qualified people there to carry out his directions and I think the Department of Public Works did a magnificent job this past weekend. And, of course, Mr. Ferlo agrees that they did a great one. I just don't think that we should throw the Director's name around loosely here and we should give him credibility. This is his first encounter here in Pittsburgh of any of this type of transaction as a Director and I want to applaud him on his ability as a Director and the job that he is doing.

Michelle Madoff:

I would like to piggyback onto the comments made by Reverend Duane Darkins. My personal experience over the weekend, and you know, I have streets up in District 2 that are really like cliffs, not like hills, and they're goat

trails and it's really a very difficult situation. We all had calls, I believe, from Mr. Turner telling us what was happening which I certainly appreciated. They don't frequently call me to let me know what's going on in the City business. But I did appreciate being briefed. I already told him that I was telling everybody to stay put. The only people we really moved to help were people who had emergencies. I got people out of their homes who had to go to the hospital, and I'm sure others did too. I got people out that had to make airplanes because of deaths. Those were the only places where I exuded perhaps a little extra effort and I want to particularly personally thank Mr. Kraszewski and I spoke with him yesterday and I'm worried about his health and I'm worried about the other people who worked 12 hours on and 12 hours off, but some of them didn't go to sleep in that second 12 hour. They worked 24 hour shifts. They really put their lives on the line for us and we owe them a debt of gratitude and I want to personally thank them.

Having said that, I would like to bring up another issue. During the last storm that we had, I asked the Director, John Walluk, why we had the telephones off the hook. He said, "You're absolutely right." And if you go back, Mike, you'll get it in the transcript. He said, "You're right, we're going to change that." I think he had just come aboard. He said, "We're going to have people at the phones." How did I get through? Because, like Councilmembers, we're creative. We know if we can't get one, we call somebody else. I called and I got in-house here, they did have service here at the City yesterday and they put me through to a line and the receiver was off the hook. You know how I found out the receivers were off the hook? My constituents called and said they called the telephone company and the telephone company told them the receivers were off the hook. So, I called the City and through the City tracked down through private lines the right people. And they were most responsive. But I think we need to fund, we

need to see that dollars are available for emergencies to call in part-time people, call people back, pay them, and, if necessary, go out to private contractors to do what has to be done. Whatever it takes.

And I think we need to get that message through to Mr. Walluk and I'd appreciate it, Mike, if you would send him a little note from Council reminding him that he did before us personally state that he agreed that those telephones should be manned and were not.

On another item. I think it's imperative in light of the discussion that went on here today to read a letter that arrived just as I went into Council today. For the record, I've given it to the media. It's signed by Mary Conturo and it's re the Schenley Park Golf Course.

"Dear Mr. President and Members:

This is in response to your request for an opinion regarding whether or not Schenley Park Golf Course can be leased to a private entity and will run the course for a profit basis.

Due to the shortness of time, we will briefly summarize our conclusions on this issue. The Mary Schenley Deeds provide that Schenley Park must be used as a public park for the people of Pittsburgh. A golf course is an appropriate use for a park and can properly be characterized as a use for public purpose. (See City of New Castle versus Lawrence County.)

Based on our research in preparing the request for proposal, we have concluded that the Schenley Park Golf Course can be leased to, and run by, either a for-profit or a non-profit enterprise consistent with the requirements of the Mary Schenley Deeds, so long as the course is kept open and accessible to the public and ownership of the course is retained by the City.

A more detailed legal analysis can be provided at a later date at Council's request."

That gets me to the next subject. I don't think there's anybody sitting in this Council that doesn't believe we need to open that golf course this summer.

Mr. O'Connor graciously and with forethought put in \$80,000 into the budget. We all supported him. And I would think it is a disgrace if that is not going to be forthcoming.

Mr. President, I'd like to know your views on that. Do you think we should be opening the course with that \$80,000?

The Chair:

Absolutely. I said that publicly at the meeting in Squirrel Hill last week and I commend Councilman O'Connor for introducing that bill in the budget.

Michelle Madoff:

And what action will you take as President of this Council to see that it happens?

The Chair:

I will caddy the first foursome that goes off in April.

Michelle Madoff:

Whoopee. What a smart answer.

What will you do with the Administration? You are our spokesperson. We elected you. The majority of us would like to unappoint you to this job, and that's the reason. I expected you to say, "We'll write another letter. We'll make a request."

I would like to see you exert some leadership and show by virtue of saying, "Well, we put that money in, we have the majority of votes and, Administration, if you don't adhere to some of our wishes, we're not going to pass your bills."

And that is why, folks, there was a motion and a movement by this Council to unseat the President of Council.

The Chair:

Let me respond, Councilwoman Madoff. I've stated clearly, and I've supported the Schenley Park Golf Course over the years, and you know as well as anyone how many times those issues have come in front of Council. I am a strong proponent of making sure that golf course is open. And, as far as I'm concerned, in the powers I have as President of Council that have been given to me by all of you and by the public as a Councilmember, that course will be open in 1993. And I know in my heart that all of you and the public will support that effort.

So, in my mind, there is no doubt that that is going to happen. It's just a matter of us making sure it happens. And whether or not there's another vehicle by which it happens is the issue that has been in front of Council for a couple weeks. If all of those issues fail, I believe the course will be open and it will be run by City employees. And all of us will make sure it does.

Michelle Madoff:

Are you prepared to go to court on behalf of this Council?

The Chair:

I will go out there and make sure it's open myself.

Mr. Ferlo:

Mr. Wagner, first of all, I support the Carol Rosenbloom proposal. You wouldn't have to caddy because that would allow for golf carts.

But my concern about the golf course is that there's clearly division in the house. I don't think there's support for any mythical proposal from CMU. And I think the appropriate action at this time, given how late it is in the year, if I understand when the golf season begins, because the way it is right now, we're going to have anarchy in a month on that course. We're going to have hundreds of people. I can even see fist fights, depending on who took who's ball and who said they had that part of the green and things of that sort.

I think it's incumbent upon us at this time to set aside all the differences that we have on the course, whether it be Ms. Rosenbloom's proposal or CMU, and recognize that neither one is going to gain majority acceptance by this Council at this time. And I think we should unite collectively by an overwhelming majority of this Council and make it clear to the Administration that we want City government to do whatever they need to do right now to gear up toward the operation and opening and management of that course for this year. We're in the middle of a change in Mayoral relationships. I think we have the rest of the year to talk about what the course should look like be it under a non-profit model or, recognizing that the Rosenbloom proposal is tabled, it's still a viable proposal.

But the way it is right now, I don't want to be part of the fact that there's going to be chaos in a month. There's not majority support for either proposal. I think we should withdraw the proposals and basically unite around the common theme of making sure that the Administration puts in place management to open and operate and collect the fees and do

whatever else needs to be done to ensure the continuation of the golf course this season.

I would like to throw that open in the form of a motion for purposes of discussion.

Michelle Madoff:

Since I just said that exact same thing and you just reworded it, I certainly will second my motion and let you carry it.

The Chair:

What is your motion?

Mr. Ferlo:

My motion is that we unanimously, hopefully, convey our concern to the Administration that it is Council's desire for the Administration through the Parks Department to make sure that we have no interrupted season for golf, that the golf course is open as it was originally anticipated in terms of last year's operation, whatever the fees are, whatever the annual pass is, whatever the arrangements regarding whatever staffing that would have to be there. And that we fully expect that the Administration at this time focus in because the hour is getting late, focus in on the municipal operation, opening, management of the Schenley Park Golf Course as was previously operated in previous years.

The Chair:

In the event no other proposal is adopted by this Council. Is that what you're saying?

Mr. Ferlo:

I'm saying, rather than waste another week and a half on some mythical proposal which even that proposal would have legal

problems because I can tell you right now I'll file some legal action to block it. So, what I'm saying is, rather than have this theater of the absurd continue, I'm saying why don't we just withdraw each proposal and, as we have all collectively supported monies in the budget for the operation knowing full well that we were probably going to be in a jam at this point, I'd rather turn the tables, put it back on the Administration, and unite with one voice that we want the golf course open, business as usual, municipally run, operated, management. And that gives us the rest of the year, as well as a change in Administrations, to decide what the fate should be.

Michelle Madoff:

Second for discussion.

The Chair:

I'm going to let Councilman O'Connor have the floor because he chairs Parks and Recreation and it's in his district. I know it's a City-wide facility but I believe, and I'm in favor of supporting anything along these lines, but I believe that's precisely what Councilman O'Connor did when he put \$80,000 in the budget for this purpose.

Mr. O'Connor:

I think we're all in agreement that the money is there and we should open the golf course, and time is very short. If the snow thaws, usually they're playing golf by now. So, by April 1st we should be selling permits.

I would encourage, and I don't think we need a vote on it, if we send a letter to the Administration and we wholly support opening the golf course and if they can continue to look at other proposals or the Rosenbloom proposal, whatever one they may choose with a vote of Council, nothing will happen without a vote of

Council. I don't think anything will happen until October anyhow if there are major changes, and there's going to be a new Mayor, a new Administration, so they can always follow up on that. I don't say we have to close the door on any other options they may be looking at, but they should open it as a public, as they did last year and at least the facility is open for all of us and all the people of that area and the City of Pittsburgh, really, to use it.

Whether it be in the way of a letter from you, and we're all in agreement that it should be open April 1st, but I'm not against them looking at other options.

Michelle Madoff:

This is another example of this Council being impotent. Here we are writing another letter as if the Mayor and the Administration doesn't know our viewpoint. They knew when you put the \$80,000 in in December and we voted unanimously for you. They knew when we went to all the meetings that we wanted that golf course open. But now we're saying, "Let's send a letter to encourage the Administration, to tell them we want to open it and that we're in support of it."

The Chair:

There's a motion on the floor.

Michelle Madoff:

I'm addressing the motion. I'm suggesting that we add something to that letter that says, "And if you do not open the course, this is the unanimous will of Council, we have the majority votes and we're bulletproof, that we will move post haste to the courts to force you to do it." That's a friendly amendment.

Mr. Ferlo:

I don't disagree with anything Michelle says, that's fine with me. I'm only saying, and in reference to Mr. O'Connor's comments, I'm not saying that they don't have the prerogative or the right to look at any other proposal, CMU, revisiting the Rosenbloom proposal, or anything else. I'm not saying that. But right now we're sending mixed messages to the Administration. We're not speaking with one voice.

So, I don't want to interrupt or confuse what Mr. O'Connor says with my motion. My motion is, come hell or high water, we expect that municipal government, with the resources that we have provided them, will ensure the operation and business as usual activity of the golf course per previous operation in previous years. That's the focus of the motion because anything else is going to take weeks, if not months, and we should put the ball back in the court of the Administration as to whether or not people are going to be able to play golf in the next couple of weeks. That's the focus of my motion.

The Chair:

I want everyone to realize what we're voting on here today is a motion from the floor which is a will of Council. And I feel that there was a much more substantive motion made in the budgetary amendment that in the event these other proposals fail, that there are dollars available for the City to provide that service itself again in 1993. So, the matter is really, will we challenge the Administration. I believe everyone is unified to do that in the event the other motions are not considered. And we all know that another one is in front of us. As a matter of fact, the one today is not behind us because it was tabled. It hasn't really been removed from the agenda of Council.

Mr. Ferlo:

My motion recognizes the fact that we have provided the resources. That's all I'm saying.

Mr. Cohen:

Mr. President, I think that although Mr. Ferlo and I disagree on the proposal that was before us today, I do agree with him. And a lot of us have been saying this for a long time that if we don't approve a proposal, then absolutely we should go forward and have the City operate and run the Schenley Park Golf Course certainly this year. And I could support a resolution for that.

The condition that I would want to put on it is, only if Council fails to approve a proposal. I do think that if the CMU proposal does come in we should have at least the opportunity to look at it and analyze it and see whether or not we can approve it. If, in fact, Mr. Ferlo is right that we would be deadlocked on that proposal as well, then absolutely we should put pressure on the Administration to open up the golf course and run it this year.

As far as court action, sometimes I feel like we as a Council have spent more time in court than we have in these Chambers. I'm not sure if that's the way to go, but I certainly think that we should put pressure on them to open up the golf course.

Mr. Onorato:

Regarding the motion by Mr. Ferlo, why don't we just, this week, you being the President, call a meeting. Why don't we all sit down with the Mayor, face to face, and discuss this issue. I think that we could talk reasonably with each other. It's obvious that she knows we want to keep it open. At least the majority of this Council wants to keep it open. We have \$80,000 in the budget. Let's sit

down and see what it's going to take to keep it open. It might entail raising some of the fees this year to eliminate some of the deficit out there, and I'm prepared to do that if we have to adjust the fees because I stated from the beginning that I think the City should operate this golf course and we have other golf courses in the area that are run by government entities that are doing a pretty good job. And for this year alone, I don't think any plan, even the CMU plan, is going to be ready for the time this course should open compared to last year.

So, why don't we move forward as opposed to just bucking heads with each other and threatening to go to court. Just meet with her this week, tell her what we want to do, hear her input with her budget person, Mr. Turner, and try to come up with a plan to open this thing on schedule. That's what I would like to see happen.

The Chair:

Okay, we'll do that.

Mr. Ricciardi:

Mr. Onorato touched upon one of my opinions. I'm willing to review all proposals before us. I've had an opportunity to review the Ms. Rosenbloom proposal. Unfortunately, the CMU proposal is not before us but I'm looking forward to reviewing that once Reggie Young lives up to his commitment and forwards that to this City Council this year.

But I think we shouldn't fool the public out there. The position of the Administration, I believe, through a memorandum is very clear. And Mr. Turner speaking on behalf of Mayor Masloff had stated that that golf course will not open up with City workers. Now, if that is true, that is their firm position, then, as Mr. Onorato has stated, I think we should meet with Mayor Masloff and see if there's any flexibility in that. If

not, there's only one other way and that's one way of confrontation. And that should be the last possible alternative in terms of any confrontation over policy or even legislation or warrants because that is something that would not be beneficial or productive to the City of Pittsburgh.

But, please, let's not fool the public. The Administration's position is clear. They believe that if we don't come up with a proposal, be it private or public-private partnership, that that golf course will not open. And I think the taxpayers should be clear like they were on the MacIntosh site that really, even though City Council has certain responsibilities and prerogatives and powers within the City, we do not administer, we do not run the City of Pittsburgh, but that really falls on the step of Mayor Masloff.

So, I support the motion but I also support Mr. Onorato's suggestion that, Mr. Wagner, at your earliest convenience, if we could ask Mayor Masloff if we could meet with her hopefully either in this Chamber or in our Conference Room.

Mr. Ferlo:

I would consider Mr. Onorato's comments a friendly amendment, or part of this resolution, because he's only suggesting that, upon passing it, that we formally meet with the Mayor and her staff. I obviously am in favor of that and I consider that a friendly amendment.

On the other hand, Mr. Cohen, if I could address you, my concern about what Mr. Cohen has stated is, again, it would be partly sending mixed messages from this Council. Even if the CMU proposal were to get to first base, which in fact it's probably not going to, we're going to waste yet another two or three weeks. It's already the middle of March. I believe the golf season usually opens the first part of April. And I just

think from a point of view of just administratively gearing up, hiring appropriate staff or bringing the previous staff back on board, just the printing of the permits, whatever just the mechanics administratively are of going forward, I don't feel that is a friendly amendment because, again, it helps to continue this mixed message from Council.

So, I strongly urge the support for the resolution. It would be unanimous in this Council. And, as part of that, we would actually have a face to face meeting.

Michelle Madoff:

I believe, if we read our Charter, we have the right to demand that the Mayor meet with us. She must meet with us at any time that we request it by majority vote.

I think that, once more, the issue is not will we have another plan. Anytime a good plan comes up, this Council is responsible and we will vote for an appropriate good plan.

The issue, again, is that the Administration has publicly stated, as Mr. Ricciardi has said, that their intentions are not to open this course. All of us have good hearing, we understand, we've been told. I have no problem in having a very quick meeting, called by the President of Council, to see if there is any room to convince the Administration to open that golf course.

But, if they don't, I repeat the question: What is this Council prepared to do? Are you going to put them on a marched walk through the City for three days? What are we going to do?

Mr. Cohen:

Public opinion. Public pressure.

Michelle Madoff:

Wouldn't it be nice if the public all knew that the deficit that is being picked up would have to be picked up on that golf course on a long term basis. It's something like \$200,000 a year, even if we weren't getting ripped off, and at least \$3 million to be put in to do the major work that needs to be done in the fusion of dollars that they don't have to pay, and that the money that would be generated from a meaningful golf course that is a jewel would bring more revenue into the General Fund, as opposed to the information that everybody is opposed to it. The public is not opposed to it. Only those who live around it are opposed to it.

The Chair:

I support the motion, and there may be some more discussion. I will set up a meeting for sometime this week for all of Council, that would probably have to be some kind of a public meeting, and request the Mayor and whomever to be part of it.

But I want to make sure that everyone knows where I stand on this. When the CMU proposal comes in front of Council, based on hearsay and what everyone is saying that proposal will state, I am in support of that proposal because I believe that Carnegie Mellon University, being a neighbor to that course, is uniquely positioned to be a fine operator of that public facility. And certainly they have done a great job in anything they've become involved in in this community. I've spoken with the President, Robert Marabian, in regard to this. That proposal is being worked out with the Administration now and I would hope that it has the support of this Council. Now, if that proposal delays opening in passage of it, I would hope that this City runs the course during the interim period until the proposal is finally agreed upon and passes this Council. But I would hope everyone

is open-minded to that proposal, at least everyone here in this Council, because overwhelmingly the meeting last week in Squirrel Hill, 99 out of 100 people supported that proposal. And I would suspect that's the sentiment of this entire City.

Mr. Onorato:

I just want to clarify that my suggestion wasn't a confrontational move with the Mayor. I think the Mayor would want to sit down too and discuss some possibilities. I think it could be a good working session and that we don't have to utilize the subpoena power in the Home Rule Charter. I was referring just as a friendly request that the Mayor sit down and she's already stated many times if we ever wanted to talk about anything just to give her a call. Let's take her up on the offer, sit down, and see if we can work this out and have the course opened up on time.

The Chair:

Mike, set up a meeting, please.

Mr. Cohen:

I need to know exactly what this motion say, Mr. President. I'm sorry, but the reason I say that is because I think that what you just said is inconsistent with Councilman Ferlo's motion, unless I'm mistaken. So, please enlighten me.

Mr. Ferlo:

Mr. Wagner's comments are the same as my comments. I made it clear that I'm completely in support of the Rosenbloom proposal with all of the amendments that I read at length and discussed at length in the Committee Session. Mr. Wagner's comment is that he is for the CMU proposal. There's a difference.

Setting that issue aside, I'm saying that it's a very strong likelihood that either proposal will

not be acceptable anytime soon. There's not majority support for either proposal, most likely, and that we are wasting a lot of valuable time and that we will become part of the problem, and that is that the course will not be open, will not resume operation in it's appropriate time.

So, my motion is to unanimously express the concern of this Council, regardless of what proposals we're for regarding the private operation of the course, that we expect the Administration to move quickly and swiftly right now and do whatever they need to do administratively to ensure that the course will open on time and that it will resume operation as the operations were characterized in the past, and that we have provided those budgetary dollars to do that and that we will take more time and whether it be CMU or Rosenbloom or some other proposal that may emerge, but in the meantime, and none of that is going to happen, it's not likely to happen through the course of this golf season.

So, we're speaking with one voice that, independent of the fact that there's division on Council about how this thing needs to look or how it needs to operate, and it's not going to be resolved anytime soon, that we both by way of resolution as well as a face to face meeting with the Mayor and her Administrators, that we convey our unanimous, strong, clear authorization and directive that we want to golf course to resume operation come whatever the appropriate time in April.

Mr. Cohen:

Okay.

The Chair:

All in favor? Opposed?

WHICH MOTION PREVAILED.

Mr. Onorato:

Real quick. Last week I mentioned that we would call a post agenda regarding the police hiring and the test that was given. The day after we talked about it, on Wednesday, Director Turner asked me if we could postpone it one week because he wants to be present and he was scheduled to be out of town. Since then, the storm hit. If we could postpone it for one more week because a lot of the Public Safety officials are busy. So, next Tuesday we will have the post agenda.

Michelle Madoff:

As you know, I have scheduled a requested hearing on curfew and there wasn't enough time initially to get the information out. Subsequently, the President of Council did, indeed, allow us some extra time and our mailings did go out.

We've had a lot of calls at our office supporting it. There are a lot of senior people. They'd like to have it in the evening and, obviously, we can't change it at this late date. It's Thursday morning at 10:00.

There seems to be a lot of confusion. People need to understand the bill better. So, what we're going to do is have Mr. Dan Terisky, he was the co-author of the bill which will withstand a First Amendment challenge when he was presenting it into the Monroeville area, come to Council and explain the bill. He's the one that brought the bill to me when we talked about a curfew, and I think that will be enlightening. And, if necessary, we can ask for an evening follow up hearing and continuance.

I think people need to know so please tune in if you can't get here because of the weather. I know the weather may not be just right Thursday morning, or people have a lot of catch

up to do in their grocery shopping or what have you, but tune in in the morning. I don't know when it will play again at night, we can announce it, but at least you'll know what the bill is all about, what it will do and how it will not infringe on people's personal rights.

Mr. Ferlo:

Very quickly. I'd like to ask that the public hearing on the bias crime reporting ordinance, Bill No. 1980, which I submitted be cancelled or be voided. The introduction of the ordinance at this time has created sort of a coalition of groups that are now meeting with Director DiNardo and Public Safety officials, including the Police Bureau, and I would like to quite frankly allow that process to work out administratively in terms of the concerns that were originally addressed in the bias crime reporting bill that I submitted a few weeks ago. So, my motion is to cancel the public hearing.

The Chair:

Was that through motion or petition originally?

Mr. Ferlo:

I believe originally through my motion. It was schedule for April 1st and my motion is to cancel it.

Michelle Madoff seconded the motion.

WHICH MOTION PREVAILED.

Mr. O'Connor:

I'd just like to mention that I have scheduled a post agenda at 2:00 tomorrow afternoon concerning business development and retention, as we discussed two weeks ago about Sears and some of the other companies leaving. I

would like your input as much as possible since the latest thing in the news is the film office is having problems. We have representatives from the Governor's Office, URA, the Mayor's Office, and Regional Industrial Development Corporation, and a couple local development corporations. So, I think timing is perfect so that we follow up. The film industry is probably one of our fastest and most profitable industry and we certainly don't want to lose that and I think this is an opportunity for all of us to have input in that.

Michelle Madoff:

Did you make sure that we're going to have the Chief of Police here because I just gave you a letter that I think most of you got saying they're moving out of town and why they're moving out of town because of a lack of police support. I think we need to have that clarified. I'm assuming that Mr. Dan Onorato will get an answer to us on that letter and I think it would be appropriate to have the police officers here because the same thing happened in East Liberty when we opened the building which is now the AAA, the Motor Court Inn. If you don't secure the area, you can't keep people in industry.

Mr. O'Connor:

You have a very good point and I agree with you, especially the police protection in East Liberty. But the odd thing is, when Sears had a big sale, people came from all over the City and all of a sudden the crime wasn't an issue. When the bargain was there and the right price, people came.

Michelle Madoff:

Safety in numbers. When people are all out on the streets, it's safer.

Mr. Ferlo moved to approve the Minutes of Tuesday, February 16, 1993.

Mr. Ricciardi seconded the motion.

Which motion prevailed.

And on the motion of **Mr. Cohen**

Council adjourned.

MUNICIPAL RECORD

Proceedings of the Council of the City of Pittsburgh

VOL. CXXVII

Tuesday, March 23, 1993

No. 12

Municipal Record

ONE-HUNDRED TWENTY-SEVENTH COUNCIL

JACK WAGNER President
MICHAEL PERRY City Clerk
LINDA M. JOHNSON-WASLER Asst. City Clerk

Pittsburgh, PA
Tuesday, March 23, 1993

PRESENT:

MR. COHEN	MR. O'CONNOR
MR. DARKINS	MR. ONORATO
MR. FERLO	MR. RICCIARDI
MICHELLE MADOFF	MR. WAGNER
	(Pres't)

The Meeting was opened by the recitation of the Pledge of Allegiance to the Flag of the United States of America, and a moment of silent prayer for peace throughout the world.

I pledge allegiance to the Flag of the United States of America and to the Republic for which it stands, one Nation, under God, indivisible, with liberty and justice for all.

PRESENTATIONS

Mr. O'Connor:

Will the members of the Special Olympics and the University of Pittsburgh please come up?

People ask me sometimes why I have such a positive attitude and certainly if you have the privilege of working with the University of Pittsburgh Greek Week Charity for the last nine years and our company and I have worked over the years with Bill Parise and the Special Olympics. When you see the work they do, you'll really understand how many outstanding people we have in this City and I'm very proud to do this. Actually, I'll be repeating myself because I see today we have a lot of young people and I hope a lot of people watch today and tonight and see the great group of people we have in our Chambers today. It's a good day for Pittsburgh.

Mr. O'Connor presents

No. 2153 WHEREAS, the University of Pittsburgh's Greek community, comprised of twenty-two fraternities and fifteen sororities, 2000 men and women strong, has contributed greatly to the well being of our community and has provided a positive experience for countless university students over the years; and

WHEREAS, the University of Pittsburgh's Greeks have, through their dedication and hard work, raised hundreds of

thousands of dollars for charitable organizations such as St. Francis Hospital's Courage to Come Back Campaign, Spina Bifida, United Cerebral Palsy, and for this year's charity, Pennsylvania Special Olympics, to name but a few; and

WHEREAS, the University of Pittsburgh Greeks, in celebrating "Greek Week" from March 18, 1993 through April 2, 1993, with a series of events designed to promote and enhance the Greek community's relationships among themselves and with the residents of the City of Pittsburgh, will highlight the themes that govern their purpose: education, leadership, scholastic recognition, intragroup cooperation, interaction with the academic and local communities and community service endeavors.

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh acknowledges and commends the University of Pittsburgh's Greek community for its outstanding public service to the citizens of the City of Pittsburgh and, furthermore, wishes them a successful "Greek Week"; and

BE IT FURTHER RESOLVED, that the Council of the City of Pittsburgh proclaims March 18, 1993 through April 2, 1993 as "Greek Week" in the City of Pittsburgh.

Mr. O'Connor moved to adopt the resolution.

Mr. Onorato seconded the motion.

Which motion prevailed.

Mr. O'Connor:

I have a few people here I'd like to introduce. We'll start with Brian Rifkin; he's the Finance Chair of Greek Week.

Brian, why don't you tell them a little bit about Greek Week and what you're doing?

The reason I asked to go first today is that they have chariot races starting at 11:30 out in the rain. So, we hope anybody listening wants to go out in the rain and watch them.

Mr. Rifkin:

Like Councilman O'Connor said, we do have the Chariot Race today. Tomorrow evening we have our Greek God and Goddess which will be held at Soldiers and Sailors Memorial Hall at 7:00 p.m. Friday we have our Greek Sing which is a tradition that has been going on for about 40 or 50 years now which is also at Soldiers and Sailors Hall. Saturday is our 5K event which will be held at Phipps Conservatory at 11:00 a.m. And Sunday will be our Greek Olympiad which will be held at Trees Hall.

Greek Week has been going on for about 12 years now and we usually come in at about raising \$100,000.

We can't thank enough our sponsors, Roy Rogers, Cameron Coca-Cola, EDS, Bain and Associates, Bruger's Bagels, and many, many more.

I'd like to hand it over to Steve Donose now, the overall Chairman, to mention a little bit more about Greek Week.

Mr. Donose:

I'd just like to thank everyone for letting us have the opportunity and letting this Greek Week be known. It's a little more than just a Greek Week. It usually runs about two weeks. We've already had four volunteer events for Special Olympics which have gone very well, and we presently hit about the \$50,000. And, like Brian said, we should raise over \$100,000 this year.

Also, another big thing that we are

involved with is the Central Blood Bank. We found out yesterday that we, again, beat our last year's record and we've donated over 3,400 pints of blood to Central Blood Bank which makes us the area's largest donator based on a percentage being that there's only 2,000 Greeks.

So, with everything that Brian said and the things that I have mentioned, I would just like to thank everyone for being a part of that and helping us make it such a smooth run.

Mr. O'Connor:

Did you hear that, everybody? 3,400 pints of blood and over \$100,000.

I'd like to bring out Bill Parise, the President of Pennsylvania Special Olympics.

Mr. Parise:

It's a pleasure to be here and to accept this acknowledgement on behalf of Pennsylvania Special Olympics.

The City of Pittsburgh has a long tradition in supporting Special Olympics and I think that it would only be fair that I tell you today that one of your residents, one of Pittsburgh's athletes, a young lady from Pittsburgh, Terry DiNome, is competing as we sit here today, in Austria in the World Special Olympic Winter Games. She is part of the Pennsylvania Delegation which is the largest delegation presently there. We represent now 24,000 special athletes making it the second largest program in the entire world. Truly, Pittsburgh is a vital and functioning of that.

We want to say thank you to all of you and, Bob, a special thanks to you for your continued support of our program.

Mr. Darkins:

We're going to ask Peabody High School's Wrestling Team to come forward. We're very proud of this wrestling team. As you know, in the 9th Council District there are many high schools and this past year we have achieved and accomplished through the athletic system that we've become champions, first with Westinghouse, now with Peabody High School.

Mr. Darkins presents

No. 2154 WHEREAS, in 1988 wrestling was offered to City of Pittsburgh high school students as a physical education activity; and

WHEREAS, on Tuesday, March 2, 1993 Peabody's High School's Wrestling Team became City Wrestling Champions for the 3rd year by defeating all City teams; and

WHEREAS, Peabody High School's Wrestling Team claimed victory over Schenley, Carrick, George Westinghouse, Brashear, Oliver and Allderdice High Schools; and

WHEREAS, the team holds a 10 win and zero loss record; and

WHEREAS, Peabody High School Wrestlers are: Jelani Cooper, Andre Brown, J.R. Smithson, Joel Benson, Marlon Carter, Emmuel Dinatale, Allen Parker, Marcus Bey, Darnell Bradshaw, Brandon Duckett, Josh Jones, Rich McCord, George Sly, Appolo Bey, Mike Hale and Art Griffith.

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh congratulates Peabody High School's Wrestling Team for their championship season and holding attitudes that reflect self pride, discipline, dedication, sportsmanship and a commitment to develop skills and talents; and

BE IT FURTHER RESOLVED, that the Council of the City of Pittsburgh is mindful that coach Joe Bellante and Assistant Coach John Bey give unselfishly to empower youth with positive choices and personal development.

Mr. Darkins moved to adopt the resolution.

Mr. Ferlo seconded the motion.

Which motion prevailed.

Mr. Darkins:

I'm going to ask Mr. Bellante to come forward and whoever else he should desire to have some remarks.

Mr. Bellante:

I want to thank the Councilmen and Councilwoman. This is a great privilege. Especially Jack Wagner, we played football together. We have great love for Duane Darkins, and the Council. I respect you very much.

Why I really want to thank the City of Pittsburgh is because, you see, this is a positive force. A lot of times the media tends to give negatives. This is positive. This is a hallelujah for me. These kids, this is the generation that's going to go on. We have four kids who are going to go to college from my senior team. One is going to the Airforce Academy, Andre Brown; one is going to Howard University on a scholarship; one is going to IUP on a scholarship; and one is going to Boise, Idaho.

I don't know about that Boise, Idaho because that's so far out there. When I went to Colorado, I was too far. I was a homeboy.

But, again, I love these guys and it's so great that Jack, and we have so much root with

Jim Ferlo. There's not too many words that can say what these guys mean to me, what they mean to the City. You know, everything isn't negative that's going on out there. These are our future, so I take my hat off to all of you. I really appreciate it.

Michelle Madoff:

Mr. President, it might be worth noting that this is the right kind of gang.

Mr. McCort:

I would like to say good morning to City Council. My name is Richard McCort and I'm the Director of the Garfield YMCA. I would just like to thank City Council based on the fact that I've been here before you guys before asking for funds for programs. I just want you to know that this is a direct result of the funds that you guys help us out with with the programs. All these guys come up through the programs and here they are here. Like you said, this is the positive type of gang opposed to the negative type of gangs that we have in our neighborhoods. All these guys are good guys. They could be going the other way but they're here, they're trying to do things, they work hard at practice and I love them for it. And I want to thank you for supporting us and hope that you keep supporting us.

Speaker:

We love you too, Coach.

The Chair:

Keep up the good work.

Mr. Darkins:

I would ask Dr. Reid to come forward and the people from NEED. We're right on target here today.

And you young men from Peabody High School, pay attention to Dr. Reid because this NEED organization has just what you need to go to college.

Mr. Darkins presents

No. 2155 WHEREAS, in 1963 Florence Reizenstein and Marion Jordon organized the Negro Educational Emergency Drive; and

WHEREAS, the drive was established to provide "last dollar" assistance to 76 needy college students; and

WHEREAS, during its 30 years, NEED has given more than \$7 million to 13,000 students who attended over 715 schools, colleges and universities in the United States; and

WHEREAS, NEED was selected in 1991 as one of President Bush's Points of Light; and

WHEREAS, a 1992 evaluation study revealed that NEED's existence impacts the Pittsburgh community by developing economically viable professionals, that higher education is multi-generational, and that NEED recipients contribute significantly to the community through financial giving, volunteering and tax payments.

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh recognizes the Negro Educational Emergency Drive as a Pittsburgh organization dedicated to "the difference between make and break" for students pursuing higher education and extends success to its Adopt-A-Student Program that will provide financial assistance to many talented and needy students; and

BE IT FURTHER RESOLVED, that the Council of the City of Pittsburgh declares March

25, 1993 as "Negro Educational Emergency Drive Day" and "Executive Director Dr. Herman L. Reid, Jr. Day" in the City of Pittsburgh in recognition for his over 20 years of leadership that guides and prepares the Negro Educational Emergency Drive to plan today for tomorrow.

Mr. Darkins moved to adopt the resolution.

Mr. Ferlo seconded the motion.

Which motion prevailed.

Dr. Reid:

Councilman Darkins and City Councilmembers, a couple of you, I know, Mr. Ferlo, Mr. Onorato and Mr. Wagner, I want to say first of all on behalf of the number of young people that look to NEED for support, I want to say thanks to City Council because it's good to be recognized. And it's especially good to be recognized when you're doing something very positive.

I'd like to also say that I brought with me my assistant, Ms. Kay Brown. We have a NEED recipient, Ms. Valerie Clark Wilkinson who is a student at Point Park. And we have an alumni group. We've helped over 13,000 people over a 30 year period. Some have sat in this Chamber; others are physicians, doctors and lawyers. Ms. Husein is a former recipient and she's also an auditor for the Port Authority.

I'd just like to say again, so often we see so many negative things in the community, and it is good at times to know that there are people that care. It is good to know that there are people that are willing to take the chance on people that they feel may be able to show the way.

So, Council should be recognized for your willingness to do this. Before us there were a number of young people that you recognized,

and I think if you continue this, it will send the right message to our young people because the one thing they all need, black, white, yellow, green, whatever, they need to have hope. They need to believe that someone cares and that someone will be there for them so that when their day comes, they'll have an opportunity to make it.

What that, I'd like to say thanks. And I always end everything I say with a statement like this, that a writer once said that a man is endowed in at least two ways; one in that he cares more for a cause than he does his own existence. The other is that he builds for the day when he is not longer here. And that a man has learned the true meaning of life when he plants trees under which he knows full well he will never sit. So, it makes a big difference for you to do something for someone that you may never know and may never see. But someone can say, someone walked through here that cared enough to make it possible for us to make it. Thank you.

Ms. Husein:

As a former NEED recipient and a Boardmember, I'd just like to thank the City and also the Councilmembers for this recognition for the organization. There are quite a few college students who depend on the organization for support and it's very good to know that we have your support. Thank you.

Ms. Clark Wilkinson:

As a NEED recipient, I just want to say the positive role that NEED plays in my education because without NEED I would not be able to continue my education.

Also, on March 25th we are having our Annual NEED Dinner and I hope that all of you can come out and support us. Thank you.

Mr. Darkins presents

No. 2156 NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh declares 1993 the "Year of the Black Woman" in the City of Pittsburgh and further applauds their professional achievements and accomplishments that empower the City of Pittsburgh and its residents to reach above boundaries and promote the City as a locality where men, women and children are recognized as meaningful citizens and contributors to the City's growth and well being.

BE IT FURTHER RESOLVED, that the Council of the City of Pittsburgh acknowledges and extends congratulations to Renaissance Too Magazine 1993 Black Women honorees for their attainments and the deeds that improve the quality of life for City of Pittsburgh residents: Denise A. Bailey, Carrie Burrell, Andrea Clark, Donna Curry, Lutitia Clipper, Judge Cheryl Allen Craig, Virginia Craig, Reverend Bobbie Cromartie, Tene Croom, Gladys Edmunds, Olajumoke Ewedemi, Ada Ezekoye, Rhonda Fleming, Lissa Foster, Brenda Frazier, Pam Golden, Cynthia Griffin, Margaret Henderson, C. Lee Jefferson, Lorie Johnson, Michelle Jones, Edwina L. Kaikai, Dr. Huberta Jackson-Lowman, Nina Lynch, Pamela Rich, Georgie Thomas Rucker, Dr. Lois Dabney-Smith, Christina Springer, Eunice Stewart, Zilla Thompson, Valerie Waters, Patricia Williams, Reverend Lorraine Williams, Geil Wesley Williams, Yvonne Williams, Dr. C. Diane Colbert and Adrienne Shedrick.

Mr. Darkins moved to adopt the resolution.

Mr. Ferlo seconded the motion.

Which motion prevailed.

Mr. Darkins presents

No. 2157 WHEREAS, on March 20, 1993 talk show host, news reporter and entrepreneur, Cathy Milton, received the Black Extravaganza's first Honorary Chairperson's Award; and

WHEREAS, the award is given to Cathy Milton for her determination and dedication to master challenges and give graciously to her community; and

WHEREAS, Cathy Milton's communications talents began in 1969 with television station WTAE as a weekend reporter, and she later anchored the morning and noon news, co-anchored A.M. Pittsburgh for 9-1/2 years, hosted several talk shows and continues to present City Chronicle on Sunday mornings; and

WHEREAS, Cathy Milton owns the only authentic British Restaurant in the United States; and

WHEREAS, for five years Cathy Milton led WTAE's Explorer Club which exposed youth and developed their talents in the field of communication and was actively involved with the East Area Boy Scouts where she taught speech and other communications skills; and

WHEREAS, Cathy Milton is a native of Monroeville, Pennsylvania, and a member of Monroeville's Bethel A.M.E. Church.

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh applauds Cathy Milton for her over two decades of professional service to the Greater Pittsburgh community, and further recognizes Cathy Milton as an African American woman who serves as a role model to many and greets obstacles with dignity and regard for others.

Mr. Darkins moved to adopt the resolution.

Michelle Madoff seconded the motion.

Which motion prevailed.

Mr. Darkins:

This was presented at Carnegie Hall where our President, Jack Wagner, was present.

Ms. Milton:

Thank you very much. It's just nice to be honored while you can hear it.

Like all my fellow journalists at the table, we all just do what we're supposed to do. We work and that's it. But I thank you very much. I appreciate it. Thank you.

Michelle Madoff:

Cathy, you're a great lady. We really appreciate what you're doing out there fighting the battle and representing a lot of women.

Ms. Milton:

Thank you.

Mr. O'Connor:

Continuing with a very positive day and morning in Council, will Coach Janet Davis and the Allderdice Girls Basketball Team please come up. We're not going to let Peabody get too far ahead of us. This is my alma mater now.

Michelle, Janet taught your daughter, Karen, at Allderdice. She remembers her.

Michelle Madoff:

Was she like her mother?

Mr. O'Connor:

No, she doesn't have any gray hair. She was probably a good girl.

Mr. O'Connor presents

No. 2158 WHEREAS, on March 11, 1993, for the third straight year, Allderdice's Girls Basketball Team won the Quad A City League Championship Title; and

WHEREAS, the Allderdice Dragons Girls Team has provided its members with a strong sense of belonging and pride, has given the players lessons in sportsmanship and showmanship, and has been the basis, not only for long lasting friendships but also for dedication to basketball and to a healthful lifestyle in general.

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh does hereby congratulate the members of Allderdice's Girls Basketball Team for their exceptional talents and winning spirit that have been evident throughout the season, and that makes them fine representatives not only of Allderdice but of today's youth; and

BE IT FURTHER RESOLVED, that the Council of the City of Pittsburgh commends the coaches, parents and teachers who, through their encouragement and dedication to their children, to their school, and to their community, by providing their children with the opportunity to develop crucial skills to carry with them throughout their lives, have lent to the spirit of healthy competition and, in doing so, have helped to make Allderdice the 1993 City League Girls Champions.

Mr. O'Connor moved to adopt the resolution.

Mr. Ferlo seconded the motion.

Which motion prevailed.

Mr. O'Connor:

Ladies, I'm very proud to have you here as my alma mater. Janet Davis is the Coach.

Ms. Davis:

I would like to thank Members of Council and Councilman O'Connor in particular for taking the time out to honor not only Allderdice High School but the Pittsburgh Public School System. What you saw before you before, the young men from Peabody High School and the young ladies that you see up here from Allderdice High School, typify the public school student athlete. Unfortunately, the media, particularly at Allderdice, we're in a fish bowl. We've come under a lot of scrutiny and they focus on the negative. These young men and young ladies are more typical of what we have out in the Pittsburgh School System.

So, I'd like to thank you and I would like to, if I may, take a moment and just introduce my players. I have three Seniors with me. My Captain, Keli Edgos who was the City League Player of the Year last year and should have a good shot at being a repeat Player of the Year; Jennifer D'Ambrosio and Randi Granata. These are my three Seniors and I will be losing, unfortunately, these three young ladies this year. My Juniors, Holly Gordon. Holly has I believe to date around 150 blocked shots and that's just for this season. So, she's our version of Shaquille O'Neil. Kim DeAngelo, Alex Falek, and Sandy Tenney are Juniors. I have to Sophomores, Jessica D'Ambrosio, Jen's sister, and Melissa Garland. And I have two Freshmen, Rebecca

Feldman and, last but not least, Melissa Wall.

So, we'll lose three but the rest will be back and hopefully, next year, we may be back. We're going to go for four in '94. Thank you very much.

The Chair:

Here's the Captain of the team.

Keli Edgos:

I'd just like to say on behalf of the team and myself that we'd like to thank City Council for this award. And we'd like to especially thank our Coach, Ms. Janet Davis, for getting us here. Thank you.

Mr. Onorato:

At this time I'd like to have Bernard Fleming and Shirley Riley Fleming come forward. This is more of an award.

As they're walking forward, this is one of those stories buried away in a Saturday paper that most of us miss. But it's a story that should be on the front page because it's that important. And it's the stories that don't get covered, especially in certain neighborhoods and this particular neighborhood. It's a story that everyone should know about, so today in the form of an award, I'd like to read the award and have Council approve this unanimously.

Mr. Onorato presents

No. 2159

**OUTSTANDING
MERITORIOUS
SERVICE
AWARD**

PRESENTED TO

**BERNARD FLEMING &
SHIRLEY RILEY FLEMING**

**FOR AN OUTSTANDING DISPLAY OF
COMPASSION AND CONCERN
TOWARDS THEIR NEIGHBORS AND
FOR THEIR HEROIC EFFORTS
IN SAVING THE LIVES OF
A MOTHER AND HER FIVE
CHILDREN FROM A FIRE IN
NORTHVIEW HEIGHTS ON
MARCH 11, 1993.**

Introduced by Councilman Dan Onorato
Unanimously Approved by All Members of Council,
City of Pittsburgh, Tuesday, March 23, 1993

Mr. Onorato moved to approve the award.

Mr. Ferlo seconded the motion.

Which motion prevailed.

Mr. Onorato:

I just find it amazing that this story didn't get more play because this is the type of story that should be told across the City. It's a very heroic effort on the part of these two individuals that heard the noise and went over there and helped the mother and her children, and actually saved lives.

At this point I would like for either one of you to come forward and explain what happened or talk about the incident.

Mr. Fleming:

Thank you very much for the award. My wife gave me the support. We were asleep at 8:00 in the morning at 338 Mount Pleasant Road. My neighbor at 340, next door, everything was

burning. I did the best I could do. I was interested in the children's lives. When the firefighters got there, they did their job. The children were already out of the burning house.

I miss my neighbors. They've been there about two years, Mark and Kim.

That's all I have to say. Thank you very much.

Mr. Cohen presented

No. 2139 Resolution transferring the amount of \$67,000.00 from Code Account 1102 (110205) Salaries and Wages, Regular and Temporary Employees to the Pittsburgh Film Office Challenge Trust Fund (PFOCTF).
---(SPONSORED BY MR. COHEN)

Also,

No. 2140 Resolution authorizing and directing the City Controller to create a special trust fund, to be designated as the Pittsburgh Film Office Challenge Trust Fund, for the deposit of cash and contributions from any source, both public and private, and authorizing the use of the funds through the Department of City Planning for the operation of the Pittsburgh Film Office, Benedum Trees Building, Suite 1308, Pittsburgh, PA 15222. --- (SPONSORED BY MR. COHEN)

Also,

No. 2141 An Ordinance supplementing the Pittsburgh Code, Title One, "Administrative", Article VII, "Procedures", Chapter 161, "Contracts", by adding a new Section 161.26, "Employees Benefit Administration".

Also,

No. 2142 Resolution amending

Resolution No. 722 of 1992, to add Sections 2 and 3, entitled "Providing for an Agreement or Agreements with various agencies for the implementation of the Pittsburgh Partnership and for the payment of the costs thereof." Cost not to exceed \$638,653.00, chargeable to and payable from CDBG Program, Dept. of Personnel and Civil Service Commission.

Which were severally read and referred to the Committee on Finance.

Mr. Darkins presented

No. 2143 Resolution providing for a Contract or Contracts, or the use of existing Contracts for the design, lease purchase and installation of high pressure sodium street lighting for the Dept. of Public Works, for a period not to exceed five (5) years, at a cost not to exceed \$430,000.00 for 1993, chargeable to and payable from Code Account 1545, Street Lighting, Index Code 154500, and amounts appropriated from time to time in succeeding calendar years.

Which was read and referred to the Committee on Public Works.

Mr. Ferlo presented

No. 2144 An Ordinance amending the Pittsburgh Code, Title Nine, Zoning, Article III, Chapter 921, Section 921.02, Zoning District Map No. 11, by changing from "R4" Multiple-Family Residence District to "A1" Commercial-Residential Association District all that certain property bounded by: Penn Avenue; the "A1" Zoning District boundary line west of Cullen Street; Comrie Way; and the "A1" Zoning District boundary line east of Friendship Avenue; 9th Ward.

Also,

No. 2145 Resolution amending and supplementing Title 5 of the Pittsburgh Code Chapter 549, Residential Parking Permit Program to attend Section 549.06(c) and (d) Recommendation of the City Planning Commission to change the recertification process and lengthen the time period; and Section 549.08 Visitors' Passes to restrict the usage and the number of Visitors' Passes and permitting their purchase by businesses.

Also,

No. 2146 Resolution authorizing the Urban Redevelopment Authority of Pittsburgh to enter into a Grant Agreement with South Side Local Development Company for an amount not to exceed \$72,000.00 under the Neighborhood Housing Fund. (Council District No. 3)

Which were severally read and referred to the Committee on Planning, Housing and Development.

Mr. O'Connor presented

No. 2147 Resolution authorizing and directing the Mayor and the Director of Parks and Recreation to enter into a Lease and Agreement with a nonprofit subsidiary of Carnegie Mellon University in connection with the operation and maintenance of the Schenley Park Golf Course.

Which was read and referred to the Committee on Parks and Recreation.

Also,

No. 2148 Resolution declaring that it is desirable for the health, safety and welfare of the people of the City of Pittsburgh, Pennsylvania for the Quakertown General Authority to undertake a project involving improvements to the facilities of St. Francis Medical Center.

---(SPONSORED BY MR. O'CONNOR)

Which was read and referred to the Committee on Finance.

Mr. O'Connor moved to suspend Rule 8 by providing for consideration of the bill only until or after the 8th calendar day following the meeting in which the bill was introduced so the bill will be on the agenda this Wednesday.

Mr. Darkins seconded the motion.

Which motion prevailed.

Mr. Onorato presented

No. 2149 Resolution providing for the filing of an application by the City of Pittsburgh with the Department of Transportation of the Commonwealth of Pennsylvania for a grant in connection with the Federal, State and Community Highway Safety Programs; and providing that the Director of the Dept. of Public Safety is hereby designated as the authorized representative of the City of Pittsburgh for the purpose of furnishing to the Commonwealth of Pennsylvania, Dept. of Transportation such information, data and documents pertaining to said application and project as may be required and to take such other actions as may be necessary to enable the City of Pittsburgh to qualify for said grant; enter into an Agreement or Agreements to provide for increased law enforcement efforts on streets and highways within the City of Pittsburgh; creating a Special Trust Fund in connection with the Program; and providing for the deposit of the funds in a bank account.

Which was read and referred to the Committee on Public Safety.

Mr. Ricciardi presented

No. 2150 Resolution providing for the

issuance of a warrant in favor of Public Strategies, Inc., One Bigelow Square, Suite 616, Pittsburgh, PA 15219, in the amount of \$1,600.00 in payment for professional consulting services rendered to Councilman Eugene Ricciardi for the month of March, 1993, chargeable to and payable from Code Account 1001-2, Salaries, Wages and Services of Council, As Needed, (Index Code 100123), City Council, District 3.

---(SPONSORED BY MR. RICCIARDI)

Which was read and referred to the Committee on Finance.

REPORTS OF COMMITTEES

Mr. Cohen presented

Bill No. 2151

Report of the Committee on Finance for March 17, 1993 transmitting two resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 2096

A Resolution entitled, "Resolution providing for the issuance of a warrant in the amount of \$50,000.00 in favor of Crown Wrecking, 276 Ringold Avenue, Pittsburgh, PA 15205 in payment of contract for demolition and removal of a 4 story apartment building at 220 Taylor Street and a 3 story apartment building at 230 Taylor Street, Ward 9, without previous authority of law and providing for the payment thereof."

Which was read.

Also,

Bill No. 2097

A Resolution entitled, "Resolution providing for the issuance of a warrant in favor of Noralco Corporation in the amount of \$25,535.61 in payment of an Emergency Contract for the demolition of the Duquesne University/Boulevard of the Allies Pedestrian Bridge; and providing for the payment thereof."

Which was read.

The Chair:

I'd like my comments brought forward on Bill No. 2097 please.

(REMARKS ON FOLLOWING PAGES)

(BEGINNING - MR. WAGNER'S COMMENTS ON BILL NO. 2097, WEDNESDAY, MARCH 17, 1993)

Mr. Wagner:

Director, I missed part of the earlier discussion, I'm sorry I did. This is a state road or a city road.

Dir. Sciulli:

It's a state maintained road but it was built by PennDOT but certain features of the road are taken over by the City and as I said earlier, one particular facet of that road is that the City's responsible for the street lighting but in any project where the state does work within the city boundaries, certain portions of that work are dedicated to the City. The drainage, the traffic, the signals, the street lighting and so forth. The maintenance of this bridge was never dedicated to the City at least from anybody's research of the records.

Mr. Wagner:

When will the bridge be reconstructed?

Dir. Sciulli:

PennDOT is taking a lead on that. I think that they are on a schedule that would probably get it built by next year.

Mr. Wagner:

-- construction in 1994?

Dir. Sciulli:

Yes. I was at a meeting with Mr. Nutbrown and officials from Duquesne University and PennDOT and they clearly indicated that they will take the lead in reconstructing it.

Mr. Wagner:

Why can't it be done quicker than that?

Dir. Sciulli:

It's on their time frame. I imagine that they have a multitude of priorities.

Mr. Wagner:

Let me tell you what the problem is. The problem is that people are going to cross a very hazardous street if there is not an overpass or a crosswalk and therefore to wait a year

means that thousands of people are going to be trying to cross a very hazardous road.

Dir. Sciulli:

I'm not sure what the exact time frame is. In the meeting the University certainly expressed a desire to get it done very quickly. My guess is that potentially it could be done this year but if you want me to find out the timetable I will.

Mr. Wagner:

Please. And if it takes Council passing a non-binding resolution asking PennDOT to make this a priority item on their agenda we should do that.

I would just add one additional item. This road, the Boulevard of the Allies and I have said this in previous meetings years ago and it has never been followed up on and I need to know who to make accountable, needs a median barrier and there's no reason why that road should not be a divided highway. There have been some serious head-on collisions on it and obviously -- I know it does not directly relate to this but still it's an issue and it's as important of an issue and if it did have a median barrier you would not have people crossing it now with the lack of the pedestrian overpass. So whose responsibility would it be to pursue that?

Dir. Sciulli:

The state.

Mr. Wagner:

Could we make that part of the request in the overpass please? Thank you.

(END OF COMMENTS)

PREPARED BY: MARY ANNE HRUSKA
STENOTYPE REPORTER

The Chair:

Is there any further discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. Onorato
Mr. Ferlo	Mr. Ricciardi
Michelle Madoff	Mr. Wagner
Mr. O'Connor	(Pres't)

AYES 7 NOES none

And there being two-thirds of the votes of Council being in the affirmative, the bills passed finally.

Mr. Ferlo presented

Bill No. 2152

Report of the Committee on Planning, Housing and Development for March 17, 1993 transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 2088

A Resolution entitled, "Resolution authorizing the Urban Redevelopment Authority of Pittsburgh to submit an application for financial assistance in the amount of \$225,000 to the Pennsylvania Department of Community Affairs for the Manchester Project."

Which was read.

Also,

Bill No. 2089

A Resolution entitled, "Resolution authorizing a Cooperation Agreement with the Urban Redevelopment Authority of Pittsburgh for the Manchester Project providing for the designation of \$550,000 of Pittsburgh Home Ownership Program and Pittsburgh Construction Loan Fund monies as the local matching share for a grant applied for in an application for financial assistance filed with the Pennsylvania Department of Community Affairs."

Which was read.

Mr. Ferlo:

Mr. Wagner and Members of Council, Director Birru from the URA has asked that we amend Bill 2089 by changing the actual amount of money of the local matching share in order to have these DCA funds kick in and, accordingly, you have a copy of it on your table.

I would like to make a motion that we amend Bill 2089 by reducing the amount of the local matching share for the DCA grant for the Manchester Project from \$550,000 to \$500,000, as requested by the Administration.

Michelle Madoff seconded the motion.

Mr. Onorato:

Discussion. I guess I'll direct it to Councilman Ferlo. Did he say why we're reducing it?

Mr. Ferlo:

No.

Michelle Madoff:

My understanding is that the available funds are limited.

Mr. Onorato:

Oh, so there isn't \$550,000; is that what you're saying?

Michelle Madoff:

That's what I'm saying.

Mr. Cohen:

I'd like to have some explanation as to why it's being reduced.

Mr. Ferlo:

It's quite obvious from the debate last week at the table that the URA and the Administration is committed to redirecting monies that we had originally appropriated for a commercial enterprise to a housing development initiative. There was some debate over the amount of money per unit cost for not only the construction but some of the related costs to do the development, land acquisition, clearance, demolition, things of this sort. I assume that they've had to readjust the figures based on what actually is available from the DCA, that they've gotten an indication from the DCA as to what the actual grant would entail, and therefore they had to amend the actual local matching share to be commensurate with whatever that DCA funding level is. Obviously, since it's coming from the advocates of the project, I assume we should make the amendment and move it along.

The Chair:

It was a request to you, correct, by Mr. Birru?

Mr. Ferlo:

Yes.

Mr. Onorato:

I'll support the amendment but I would like to have from Director Birru a written explanation of the reduction or why he is reducing it and where the 50 is going.

The Chair:

All those in favor of the amendment? Opposed?

WHICH MOTION PREVAILED.

The Chair:

I'd like my comments brought forward on the two companion bills, 2088 and 2089.

Michelle Madoff:

I would like my comments brought forward on those bills also.

Mr. Cohen:

I'd like my comments brought forward too, please, on those bills.

Mr. Onorato:

I'd like my comments brought forward also.

(REMARKS ON FOLLOWING PAGES)

(BEGINNING - MESSRS. ONORATO, COHEN, WAGNER AND MICHELLE
MADOFF'S COMMENTS ON BILL NOS. 2088 AND 2089, WEDNESDAY, MARCH
17, 1993)

Mr. Onorato:

Director, what is the status of the Chateau Business Plaza?

Dir. Birru:

That project is on hold.

Mr. Onorato:

So we are not going to have a business to put in Chateau Plaza as we speak.

Dir. Birru:

That's correct, yes.

Mr. Onorato:

I'm trying to find out why did it happen? Did it happen because the money and the application period, the deadline was coming close and we had move and the business project not far along?

Dir. Birru:

The time we have is about five years. The planning was approved in 1989 so by 1994 if the money is not spent it has to be returned and that will be money that's lost and the community groups requested us --

Mr. Onorato:

-- I understand, the Manchester Citizens Council and I know a lot of people down there and I respect their opinion and I'm not questioning it. What I'm concerned about is, we originally had a plan for a business strip and basically the only reason we're changing it is because of a deadline and we don't want to lose the money.

Dir. Birru:

And also because we could not find a developer.

Mr. Onorato:

Is there any way to save the money and still earmark it for a business district in Manchester? Why does the application have to be for townhomes as opposed to a business?

Dir. Birru:

Because of the community groups. Because they are afraid they will lose the money.

Mr. Onorato:

I have no problem with listening to the MCC and taking their lead, I don't have any problem with that but I also know that the people in Manchester are very concerned about the business strip and I want to make sure that by moving this that we're not just putting the business strip on the back shelf because there is no food store or any convenience store in that whole area and that is a large area.

Dir. Birru:

That was our initial intention and that was the support we had from DCA and it was to develop small commercial streets for the community and we did work hard and we had RFP's and we could not find a developer and the community groups who gave us a lot of the planning process and they have a very strong planning process in Manchester, they said in 1991 maybe we should use part of that money for residential purposes.

Mr. Onorato:

What I would like to see Director, if you could possibly over the next month or so come up with a plan and let us know what your ideas are for a business strip of the Chateau area. And I would appreciate seeing something from you.

Dir. Birru:

That is fine but I want to make you aware that the community groups have a leading role.

Mr. Onorato:

They should definitely have a role or a role that they give input because I want to hear their suggestions but the bottom line still comes back to the city and we have the final say here and I want to make sure that they're not falling into a trap and we're not falling into a trap and that the Chateau Plaza is going to remain empty for another ten years.

Dir. Birru:

That has not been the way we operate and I don't think it's the way we want to operate even now.

Mr. Onorato:

I guess you misunderstood me. I want you to continue to do that. I believe in dealing with the community groups but I want to make sure that the community groups don't think that they're going to have a business strip in two years but in reality this money might put that offer ten years or fifteen years. I don't know what the community group knows when they made this decision. I don't know what they were looking at or what they were told.

Dir. Birru:

It was the choice they made in view of the money to be returned within a year.

Mr. Onorato:

And what was their understanding about the business strip? That it would not be completed and it's shelved indefinitely?

Dir. Birru:

It's not that easy for them to do and it's going to take a longer time to do it.

Mr. Onorato:

But it will be done.

Dir. Birru:

Absolutely. I continue to work on the activities and we will work with the community groups to do that.

Mr. Onorato:

Okay.

The Chair:

Perhaps we should think about holding this for one week and scheduling a site visit between now and then with the appropriate personnel who explained to us what happened.

Dir. Birru:

Mr. Chairman, the misunderstanding is the construction loan fund. If you take that out, it comes within the \$77,000.00 to \$80,000.00. That is a double counting in here. That construction loan that comes in cuts back on the price so basically I would still need it to keep within the \$80,000.00 limit. We lend money for construction purposes and at closing we get that money back.

Mr. Onorato:

I don't want to hold the bill. I think it's important that we go with this application and we make the changes since the housing was part of the business development as you just stated but at the same time I would like to see from the URA a continued effort of the business development down there with some correspondence back to us and to the Manchester community group of what we're going to do now since this plan didn't make it through because the Chateau business district has to be developed but I don't think we should hold it and I don't think it's the right thing to do at this time.

Michelle Madoff:

I agree with my colleague, Dan Onorato. It's obvious that we're talking about two different things right now but we branched out and since everybody has voiced their opinion I will too. What you need to do is obviously go ahead and reapply because if you don't you have nothing to worry about where you're going to spend it. If you don't you have nothing to worry about where you're going to spend it. And what you said is that in 1991 since the Chateau Plaza was not feasible you applied it -- it wasn't your wish it was whoever came to you-- believe it was the group who said that they can't do this but at least help us in our community. So you're not the one who initiated, you're working with the community and when you get the prices on property there are variables. Sometimes we own the property and we have to maintain it or clean it up. Sometimes we have factored in that cost if you did probably they're all on a level playing field. And people are talking about what is going on in their districts but I think we need to do some prioritizing. We have seen communities disintegrate because there is nowhere to do the shopping so obviously the Chateau Plaza becomes a priority. If people have to take a cab or a jitney to go buy milk and so on that's a disaster and I've seen it in my own district in the Westgate area. Thank God they have a little shopping center and a food market and a place to do their banking but people here must have it and I think you would agree with that and I think that's got to become a priority and I think you're working with the NCC on it and we need to help you with it but there's also another dimension to this and that is that in my district people are up in arms about spending

money for some of the developers who have not been your best developers doing HUD development things and they put in not the best kind of labor, not the best kind of heating where you go upstairs and it's 900 degrees and you go downstairs and it's 20 degrees and we have all these vacant properties and that's what Ferlo talked about. We have properties that are sitting there and you know that with rehabbing and ingenuity and architectural people you can go in and make them into beautiful things. We were at the opening of one the other day where this couple in my district got a house and they never dreamed they were going to get it and it was beautifully done. So that before we put all of this money into new we might want to think about taking our housing stock and making it viable so people could live in it and I don't think you disagree with any of this.

Mr. Birru:

It's a fair comment and you are going to see that by next week or in two weeks where in every neighborhood we are having about 80 houses.

Michelle Madoff:

What do you have in my neighborhood?

Mr. Birru:

Quite a few houses.

Michelle Madoff:

I would like to see Shiloh and Boggs redone. This is the best, the best, the Niagara Falls of Pittsburgh. It's the overview of the city. It's where everybody comes to look at the city. Why don't we do something about making Shiloh and Boggs beautiful and I'd like to work with you on that. We'll sit down and do that at another time. But I think that we need to get us in now on this bill as they apply for it and I think you'd like to come back and meet with us individually and talk about it particularly we're going to do to make these communities beautiful, particularly in areas where there is nowhere to shop. I think we're all agreeing and we're not disagreeing, we're not getting the facts in order and I hope I've done a little of that.

Ferlo:

You've confused the facts.

Michelle Madoff:

No, I haven't confused the facts. I think I reiterated what the Director said and I think that if you really look at the numbers the bottom lines are going to be very much in line.

The thing that I would like to make a personal request and I'd like you to share it not only with me but all of Council is, could you get us the mandate of the Department of Community Affairs? What are they supposed to do? The reason I ask the question is that when we went out on this study on their bonds, my understanding was that Community Affairs kept copies of all the bonds that were applied for. They haven't had an ALCOSAN bond listed with them since 1976. I want to know what the Department of Community Affairs does. You're applying to them for financial help. Do they actually have the money or do they process it through another agency? Do they hold our bonds when we go out so that somebody can come back years later and find out what happened? I have no concept of what they do. Maybe you're not the person to ask but since it's on your bill I'm asking.

Dir. Birru:

I think I overlooked the fact that one of the problems with the Chateau Street was the highway construction which literally isolated the community from the corridor.

Mr. Onorato:

I have to correct something on that statement if I can. The design of that highway you're absolutely right. It severed off the community from the shopping center. However, they put a big hollow walkway under the highway so the community can walk right to the Chateau Plaza. As a matter of fact, the cutout is directly in front of the Chateau Plaza, so the community has the walkway right there to go under the highway and not crossing the highway.

Mr. Wagner:

Thank you, Mr. Chairman. Director, there is a legitimate discussion going on here about what the priorities should be for DCA funding. Where they should be and I really believe that is the issue that needs to be further discussed with this body, is really where all of your priorities are to go and get grant monies to subsidize the construction of housing in the city and a legitimate point has been brought up by Mr. Ferlo that we're talking here somewhere in the area of \$35,000.00 to \$40,000.00 per unit and I'm sure Manchester qualifies well for that type of housing. I'm sure other areas of the city qualify also for that type of housing. As a matter of fact, Manchester really is a model type neighborhood that this Council has literally voted

for millions and millions of dollars to enhance that community over the years. The point I want to make is I'm not sure that the priorities are in line with what the future of the city should be and I'm not going to sit here and discuss the merits of this project or not this project because I don't think that's fair to the Manchester community. What I am concerned with though is that we are not focusing truly on where the market is and if we're talking about units that cost \$120,000.00 and we're going to subsidize them and we're going to try to attract people into the city or keep people in the city which is a valid objective and should be a top objective of this Council and the Administration and the URA, I would make the argument again and it's deja'vu to me that we're not maximizing our potential of riverfront housing in the city and that's nowhere on the radar screen of anyone it seems and I will say to you if we want to attract people into this city and we want to utilize grant monies that we can get from higher levels of government to develop housing that the real market for housing in this city is riverfront housing and we have 35 miles of property and still I'm disappointed that there has never been a similar kind of proposal to come forth to this Council for a subsidy in DCA funding for that kind of objective. It doesn't matter to me whether it's Manchester, Hazelwood, the Strip District, Lawrenceville, Herr's Island, Southside, West End, Esplan, I don't really care, it doesn't have to be in my district because I'm not concerned about that. All I'm concerned about is that there is a genuine market that has been tested that market as to where people would like to buy housing at high values and if we're going to have a lost leader and that's really the way I look at going after grant monies to get people to buy housing in certain areas, the real market for growth in this city is on the riverfronts. So I'm asking you again and again for me it's deja' vu that we need to focus on that and I don't want to see us not focus on it because that's really our opportunity of growth.

Mr. Birru:

You have made these remarks several times and I have agreed with you on several occasions and we have promised that we'll be working with a short term as well as a long-term plan and we are working on that right now with City Planning and we should come with some kind of an action plan to show you that we also have a focus in the near future for housing development built on the riverfront areas and agree with you that it's a wonderful opportunity for Pittsburgh and it's a good vision for Pittsburgh and we are pursuing that.

Mr. Wagner:

I'm pleased to hear you say that but I have hearing that after too many years and I'm hopeful and optimistic Director that you will come forth with that plan and we will get a developer

or a neighborhood development corporation interested in such a proposal because I'm certain that the market is there. Studies have been done, the market is there for the purchase of the buildings or the townhouses or whatever they are.

Dir. Birru:

We agree with you. We're working right now on the Southside riverfront development. We are working on Station Square on a condominium development, we are working on Washington's Landing up to 150 housing units that we are attempting to push that development.

Mr. Wagner:

Just please share with this Council what the strategy is for housing and let's not put one neighborhood up against others anymore. Let's have a strategy and let's implement the plan and make sure it ties in with the future needs and what the market conditions are in this city.

Dir. Birru:

I said we are working on that and we will do that.

Mr. Wagner:

Until I see the riverfronts as part of it I don't believe it's accurate.

The Chair:

Mr. Birru, let me ask you a few questions about the dollar amount here if I could just to clarify it for me. This is \$813,000.00 is what the fact sheet says. The two pots of money that I see are \$225,000.00 from 1989 application to DCA which I assume that we already have and this is an application for \$550,000.00; correct?

Dir. Birru:

It's \$550,000.00 that will be a matching fund from the URA

The Chair:

If I add those two up I get \$775,000.00. Where does the extra money come from for an \$813,000.00 project?

Dir. Birru:

From some of our development funds. I have the breakdown if you want the breakdown.

The Chair:

Can you break down for us verbally now if this goes forward, how much would be state funds and how much would be local funds?

Dir. Birru:

Our plan would be -- we have a Manchester fund of \$153,000.00 to be used towards that. Our support for housing development from the URA will have a funding of \$65,000.00.

The Chair:

Of course this is an application but I assume we have a commitment. How much would actually be state money from the DCA and how much would be local money or is it all state money?

Dir. Birru:

There's a lot of local money, there's a lot of bank money also. There will be private investment of \$255,300.00. There will be a community development investment fund of \$75,000.00 and that is from --

The Chair:

-- okay. Of the \$813,000.00 how much would be state money?

Dir. Birru:

The \$255,000.00.

The Chair:

As I read the eligible activities for this and the fact sheet that you provided, it says seven single-family townhouses but it also says it will be utilized for the rehabilitation of six party walls and a demolition of eight or nine vacant, vandalized properties. Is that also coming out of that \$813,000.00?

Dir. Birru:

That's right. Part of the demolishing is to develop the site.

The Chair:

Is the demolition the demolition of the same lots upon which the townhouses are going to go on?

Dir. Birru:

That's correct.

The Chair:

Why are we demolishing nine properties for seven houses?
Is it because they're larger?

Dir. Birru:

It's part of the whole development area.

The Chair:

So there isn't anything other than the seven townhouses
that this money is being used for.

Dir. Birru:

That's correct. Other than a few party walls to improve
the image of the neighborhood.

The Chair:

If you can provide Council before Tuesday with that
breakdown that you have before you I would appreciate that.
Personally I think we should still go ahead with this project
because I think it's an important project for Manchester and
Council District 6. I would like to see what Director Birru
provides us but I think we shouldn't hold it up.

(END OF COMMENTS)

PREPARED BY: MARY ANNE HRUSKA
STENOTYPE REPORTER

Also,

Bill No. 2090

A Resolution entitled, "Resolution authorizing the Urban Redevelopment Authority of Pittsburgh to condemn and acquire all of the City's right, title and interest, if any, in and to publicly-owned property in the City of Pittsburgh, under the Residential Land Reserve Fund, said property having been certified as blighted by the Vacant Property Review Committee and the Planning Commission of the City of Pittsburgh."

Which was read.

Also,

Bill No. 2091

A Resolution entitled, "Resolution approving execution of a Contract for Disposition of Land by and between the Urban Redevelopment Authority of Pittsburgh and various Redevelopers for the sale of properties in the City of Pittsburgh (SIDEYARDS)."

Which was read.

Also,

Bill No. 2092

A Resolution entitled, "Resolution authorizing the Urban Redevelopment Authority of Pittsburgh to acquire properties in the City of Pittsburgh under the Residential Land Reserve Fund, said properties having been certified as blighted by the Vacant Property Review Committee and the Planning Commission of the City of Pittsburgh."

Which was read.

Also,

Bill No. 2093

A Resolution entitled, "Resolution approving execution of a Contract for Disposition of Land by and between the Urban Redevelopment Authority of Pittsburgh and various Redevelopers for the sale of properties in the City of Pittsburgh (SIDEYARDS)."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. Onorato
Mr. Ferlo	Mr. Ricciardi
Michelle Madoff	Mr. Wagner
Mr. O'Connor	(Pres't)

AYES 7

NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

MOTIONS AND RESOLUTIONS

The Chair:

Prior to discussion, we have a post agenda immediately following pertaining to the police examination process sponsored by Councilman Onorato. And, at 2:45 today or immediately following the public hearing, we

have a meeting here in the Chambers in regard to the Schenley Golf Course.

Mr. Ferlo:

On unrelated issues, Mr. Wagner and Members of Council. As Councilmembers are aware, by virtue of the fact of having signed off with General Services, we have entertained and entered into hundreds of contracts, these so called "B" contracts. In this case, I'm particularly concerned about one "B" contract, B-25, it's Contract No. 31165. This is a three year annual contract with a local electrical firm specifically for furnishing materials, conducting labor, doing general maintenance work mostly out of the Parks Department. It's electrical work in nature.

My concern is that this contract over the last three years of its life has grown roughly \$93,000 to \$100,000 per year, but for some reason this past year, 1992, it ballooned into an annual payment of roughly \$500,000. A half million dollars.

The concern that I have, setting aside the whole debate about the "B" contracts and the manner in which they're awarded and some of the things that go on, the concern that I have is the continued debate about budget cuts on payroll staff people, employees doing certain kinds of work, or whether it's more cost effective to contract out. That kind of debate has taken place on the gas card and it's taken place in a number of other areas, especially where we're talking about tradespeople.

The concern that I have here, and I'll use just an example of some of these invoices regarding this one specific contract, and again, we're talking about a contract that originally started out doing general maintenance work, roughly \$100,000 a year, ballooning into half a million this past year. And if you look at some of the invoices, again, these are just a few of

hundreds and hundreds of invoices which I haven't had time to go through.

I'll pick an example. We paid \$35 an hour for a foreman and \$32.50 for an electrician, for a total of \$67.50. Again, this is to an outside company. Again, I don't have any problems with the company in terms of their work; I have a problem with the nature of what we're asking them to do in terms of services under the contract.

Basically, what we paid these services for is, to me, unbelievable. Basically, they attempted to remove an exit sign per a request on a drawing. When they realized that maybe that wasn't the right exit sign, they called somebody Downtown in City Hall and they said, "No, that's not the exit sign. In fact, we don't want the exit sign removed, just forget about it." So we get billed \$67.50 for services of a foreman and electrician because there's some disagreement as to whether or not an exit sign overhead of a doorway in one of our rec centers has to be removed.

Here's another winner. We paid a foreman at \$35, and again, this is an outside contractor and not our City workers, electrician \$32.50 an hour, for a total of \$76.70. And get this, we actually had them do the following: replace five light bulbs. We paid \$76.70 to have two tradespeople on an outside contract change five 100 watt light bulbs at a rec center in Northview Heights.

I would suggest, and there's the old saying of how many City workers does it take to change a light bulb, I would say that it's only one and it's a hell of a lot less costly and more cost effective than it is under this contract with an outside company.

So, again, we paid \$76 for two skilled tradespeople on this outside contract to change five light bulbs.

Here's another winner. \$135, two hours for a foreman, two hours for this electrician, for a total of \$135, and they did the following: they tested the fire alarm pull station which basically means that they pulled the fire alarm, something that the Fire Department and our Administration does for free. Why we had to pay \$135 on this outside contract is beyond my understanding.

Here's another great winner. \$101.25, we paid an hour and a half foreman, an hour and a half electrician, to set the time clock to the correct time of day at Fowler Park. They had to get up on a ladder and basically set the clock. They had to set a clock and they got paid \$101. A skilled foreman and a skilled electrician. I mean, I can even change a clock.

How about for \$67.50, they also set the time clock at Warrington Field to the correct time. It was off by ten minutes and they wanted to change it, so that took a foreman and an electrician under this outside contract \$67.50:

How about this? They actually did the following. Now this sounds great, it sounds really complicated. "Responded to report from Don Lesser that fan on heater in the fountain pit at Allegheny Landings was sticking. Opened unit and lubricated fan and relay and checked for proper operation." That's sounds really fancy. What it didn't say, basically, is that they oiled the fan. So, for \$101.25 they oiled the fan.

How about \$67.50, and this was for a discussion. They didn't actually do any work. We paid a foreman and an journeyman a total of \$67.50. They met with an individual who happened to be the Park Foreman at Arlington Field, and they discussed the means of turning off the field lights. They didn't actually do any work; they discussed the means about how you should turn off the field lights and that cost us \$67.50.

Here's another great winner in my own

Council District in Highland Park. For a total cost in materials of 17 cents, 15 cents for the little 3/8 inch bolts and 15 percent overhead for 2 cents, that's 17 cents total materials cost, we got billed 2 hours for a foreman, 2 hours for an electrician, for a total of \$135 plus the 17 cents cost of materials, and basically they screwed in a light bulb at the King Estate. They screwed in a fixture. So, for screwing in a fixture and using a total of 3/8 inch bolts, we got to pay \$135.

Here's another example. This sounds fancy but when it comes down to it, it's \$135 for a foreman for 2 hours at \$35, an electrician for 2 hours at \$32.50, for a total of \$135. They responded to a call about field lights not operating at Natoli Rec Center. They checked the operation, the breakers, and they tightened all loose connections. They basically screwed in the box. They tightened four screws on a light box and it was \$135.

That total is over \$1,000 and that's just, again, a few of hundreds of invoices that are paid pursuant to this annual contract.

Again, people in the City all keep saying we have to raise taxes, we don't have money to pay for things, we're cutting here, we're cutting there. And when you begin to see some of these expenditures, you wonder well, who is in charge and who is minding the store here. I'm not saying that there aren't legitimate expenditures under this contract, but when you look at a contract that is roughly \$100,000 a year and now this past year it has ballooned into a total of \$498,694 and you begin to investigate the individual invoices and you see things like it taking two skilled tradespeople to put in a light bulb at a cost of \$70 plus, something is wrong.

I would suggest that we have a post agenda, and I'm requesting that we have a post agenda, regarding this "B" contract so that we can talk about these invoices and also talk about

whether or not it would be more appropriate, as I have always lobbied, to use our in-house electricians and other staff people in General Services, even if it means adding to the payroll. But for a half million dollar contract, I would rather add a couple people at the pay grade of what we're talking about. It would be more cost effective than the kinds of activities that have gone on under this contract. And I would like somebody from General Services and Engineering and Construction there, as well as the Parks staff and the Budget Office so we can begin to talk about this.

But, again, I can't believe we've paid \$75 for two tradespeople to screw in a light bulb when any number of our existing employees on the payroll could have done it and could have done it a lot more cheaply than what's been proposed.

Michelle Madoff:

I would like to second the motion for a post agenda hearing, and I would also like to ask my colleagues, under our new legislation, that we have that cablevised. I know we have a problem with the due date, but I think this is very important. If we can't do it as a post agenda, then I would ask my colleague to rename it as a hearing.

And I'd like to point out, you know, the jokes about light bulbs, the question here is how many people does it take to change a light bulb. Well, from my calculations, it's five. One to hoodwink this Council, one Administrator on the Mayor's staff to tell us that "B" contracts are wonderful, and two or three laborers to go out and do it who are paid under "B" contracts so they can bypass the process.

That takes me to my comment. I think that Councilmembers better take the wax out of their ears, clean out their eyes, and start to pay attention to the kind of things you're hearing. Mr. Ferlo who alerted me to the issue of the contracts

of one of the major "B" contractors who got \$15 million worth of work in the last three years, eight of it through "B" contracts. And you foolishly bought into the hoodwinking by the Administration to go to a briefing to be educated. And you went to the meeting and I was told that I was scheduled to go to the "B" contracts hearing and that there would be three sessions, three of us, two of us, and so on, so that we wouldn't violate the Sunshine Law. That's what I assumed. Well, when I called, there were going to be four people and I would have made the fifth and I said there's no way I'm going. So, they dropped the fourth.

The idea is to bypass the public, not to have the hearing here, so the post agendas which are the gut of this Council so that we really get to ask the in-depth questions about issues and so that the media who could be present are bypassed.

The fact that Mr. Ferlo has pointed out these outrageous discrepancies are not any different than the times we built bathrooms for the fire stations and police stations and we didn't put a toilet seat on or a door or didn't put a soapdish up. And when we came back it was outrageously expensive to do it.

I suggest to my colleagues that you keep an open mind because my understanding is that we are going to see some initiative by outside agencies to take a look at these "B" contracts and the people who vote on them, which is us, are really going to have our heads in a sling.

I support Mr. Ferlo. I think "B" contracts are outrageous. I think at some point, and I don't want to make it a political issue, right after the election we need to have a hearing, a full blown hearing on these "B" contracts. This is the biggest disgrace, next to the bond issues and the millions that are wasted and that kind of contract. And I hope that you will start to understand that when somebody smiles at you and pats you on the back and lets you walk into their office in the

Administration, that that isn't the end all. What's really happening is that you've been hoodwinked and you ought to realize that and open your ears and start to learn and educate yourself.

Mr. Ricciardi:

I'm very pleased that Mr. Ferlo has raised the issue of outside electrical work, and especially has the background information, the documentation to show some of what he considers abuses.

Just to remind my colleagues, several times in the past these authorizations need to be passed by City Council in a catch-all generic line item. In the past several discussions I've had with Brother Richard, I've voted no on those bills because I was contacted by City electricians who, number one, say they can do the work and, number two, say they have the time to do the work.

So here we have City electricians contacting a Councilmember's office, and I'm sure they contacted other offices, saying they want to do the work, they have the time, they have the skill, they have the ability. And we continue to allow the Department of General Service to contract out.

I'm very pleased to say that I voted no on the last two resolutions and I think the post agenda is the right thing to do because we cannot place this blame on the City electricians. They want to do the work. We really have to focus in on the management and maybe we got into the routine of contracting out much much too much. And I think not only does the balloon of \$500,000 over the \$100,000 shows that, but really some of the documentation and some of the invoices, especially when it comes to changing light bulbs and maybe oiling fans.

So, obviously, I support the post agenda

and I'm very pleased and I'd like to commend Mr. Ferlo for brining it to our attention in form of the documentation.

The Chair:

There's a motion on the floor to have a post agenda and for that post agenda to be in regard to "B" contracts and specifically electrical "B" contracts. All in favor? Opposed?

WHICH MOTION PREVAILED.

Michelle Madoff:

And to be cablevised.

The Chair:

No, that is not the motion.

Michelle Madoff:

Then I would like to make a motion that it be cablevised.

The Chair:

According to the legislation passed by Council, of which you sponsored, that cannot be done unless that legislation is amended. Now, we could easily put a motion on the floor to have a public hearing on this issue and have that televised, if you would choose to do that.

Mr. Ricciardi:

Point of Order. I would also like to point out that the legislation said that it was only effective June of 1993. So the legislation is not into effect until the summer months.

The Chair:

That's right.

Michelle Madoff:

I understand that but we could waive that rule by a majority vote of this Council. I think this is of such great magnitude, as I stated earlier. The way you can have this so the public will understand and not have to come down in rain, sleet or hail or whatever, or inconvenience, is to call it a public hearing. You don't have to have it as a post agenda.

The Chair:

I'm willing to entertain such a motion for a public hearing if that's what Council wants.

Mr. Ferlo:

It's up to the majority of Council.

Michelle Madoff:

I would like to make a motion that, one way or another, this is open to the public in the sense that they can turn on --

The Chair:

Is your motion for a public hearing?

Michelle Madoff:

Yes.

Mr. Ferlo seconded the motion.

WHICH MOTION PREVAILED.

The Chair:

Okay, it will be a public hearing rather than a post agenda.

Mr. O'Connor:

On the same issue. Last year it was brought to my attention that the \$100,000 that Jim talked about was in Parks. We found the same thing, maybe \$20,000 wasted. At the time, it was the theory or they figured it would be cheaper to do this than to hire two or three electricians. And I was told it certainly was going to come down. And if it is up to a half million dollars, you could probably hire at least 20 full time electricians for the City and be at almost every site 40 hours a week.

If this is the case and your information is correct, and I see no reason why it isn't, I feel the Directors, wherever this comes out, they should have where it's going, why it was authorized, and if it is as big a farce as it looks like, then we should stop the budget right away. And evidently, these Directors or whoever is managing this money, should not be given that authority if they can't manage that money and it goes in this direction. If it went from \$100,000 to \$500,000, it's really out of line and we have to do something about it. I agree with Mr. Ferlo.

Mr. Ferlo:

I want to clarify something. What I'm saying is that for the last three years it roughly estimated at \$100,000 a year basically for the maintenance part of the contract. Probably this past year, in addition to the things that are listed under the contract that are maintenance related, it ballooned into something much larger and something different. I would suspect that this firm did other kinds of Engineering and Construction related activity, possibly in the City County Building or God knows where.

So, I think in a way it's a question of getting a clarification from the Administration as to why this ballooned into not just a general repair maintenance but into something else under this

"B" contract scenario. But, even under the maintenance work, \$100,000 a year for things that I've listed, I really question whether or not that's cost effective. And I don't think you need an electrician to change a light bulb. I think there are any positions that are paid less than an electrician that can do things like change a light bulb. Obviously, electricians should do other kinds of things that I think are being done right now on an outside contract basis, and I don't think it's more cost effective. I think we need to really zero in on this and look at it prior to the annual budget deliberations.

Michelle Madoff:

My sense, after being here for 15 years, is that it's white-collar patronage. There's no doubt I spoke to a contractor last night who has been doing business with the City forever. He's not a "B" contractor and he would like the opportunity to bid on these contracts. His work has always been exemplary and I think this really ties into the "B" contract. You cannot separate the two. And again, it's only when somebody gets this kind of

information. I suggested that we hire somebody for our Council. If we had somebody in the Budget Office to look at all the invoices, it wouldn't just be these episodes that you would see; you would see hundreds more. And I again say, don't be hoodwinked by the Administration that the "B" contracts are the way to go.

The Chair:

I would just suggest that we not make accusations until we get all the information. And that's the purpose of a public hearing.

Michelle Madoff moved to approve the Minutes of Tuesday, February 23, 1993 and Tuesday, March 2, 1993.

Mr. Ferlo seconded the motion.

Which motion prevailed.

And on the motion of **Michelle Madoff**

Council adjourned.

MUNICIPAL RECORD

Proceedings of the Council of the City of Pittsburgh

VOL. CXXVII

March 30, 1993

No. 13

Municipal Record

ONE HUNDRED TWENTY-SEVENTH COUNCIL

JACK WAGNER

President

MICHAEL PERRY City Clerk

LINDA M. JOHNSON-WASLER Asst. City Clerk

Pittsburgh, PA

March 30, 1993

PRESENT:

Mr. Cohen	Mr. O'Connor
Mr. Darkins	Mr. Onorato
Mr. Ferlo	Mr. Ricciardi
Michelle Madoff	Mr. Wagner,
	Pres.'t

The Meeting was opened by the recitation of the Pledge of Allegiance to the Flag of the United States of America, and a moment of silent prayer for peace throughout the world.

I pledge allegiance to the Flag of the United States of America and to the Republic for which it stands, one Nation, under God, indivisible, with liberty and justice for all.

PRESENTATIONS

Mr. Cohen:

Good Morning. If Dennis Huber and Sue Edders and Mr. McKee could come up from the Blind Association, please.

Mr. Cohen presents

No. 2200 WHEREAS, the Pittsburgh Blind Association is a private non-profit organization that assists blind and visually impaired and mentally challenged adults in living rich, productive and independent lives and educates the general public about eye safety and the prevention of blindness; and

WHEREAS; the Pittsburgh Blind Association, a community based agency, offers social programs, employment, opportunities and rehabilitation services to blind and visually impaired and mentally challenged adults; and

WHEREAS, the Pittsburgh Blind Association provides job training for individuals with visual and other handicaps through a Supported Employment Program which provides individual competitive job training, a Work Preparation Training Program which concentrates on the development of specific vocational skills, and a Transitional Rehabilitation Program for severely disabled people; and

WHEREAS, the Pittsburgh Blind Association also provides a variety of support services for the blind and visually impaired and non-handicapped community through their free Vision Screening Program, a free Talking Book Program and counseling services assisting in the emotional, psychological and environmental effects of vision loss; and

WHEREAS, the Pittsburgh Blind Association is celebrating its commitment as a leader and strong advocate for the blind and visually impaired at its annual Black Tie Bingo event this Saturday, April 3, 1993 at the Vista International Hotel.

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh congratulates and commends the Pittsburgh Blind Association for their dedicated work and outstanding service to the blind and visually impaired community in the City of Pittsburgh; and

BE IT FURTHER RESOLVED, that the Council of the City of Pittsburgh declares Tuesday, March 30, 1993 to be "Pittsburgh Blind Association Day" in the City of Pittsburgh.

Mr. Cohen moved to adopt the resolution.

Mr. Darkins seconded the motion.

Which motion prevailed.

Mr. Cohen:

It's really my pleasure to give this proclamation today. I have worked with the Pittsburgh Blind Association for the last few

years on a number of issues including issues that you have all supported very strongly like the audible traffic signals for the blind and visually impaired on the Craig Street corridor, for example. Also, the bus stops issue which all of you supported as well.

It is a remarkable organization. If you haven't been there on Craig Street and seen everything that they do there, please go and I'm sure Dennis Huber will give you a tour. It's just fantastic how much goes on in this building, all of the things that they do. The Pittsburgh Blind Association really encourages blind and visually impaired adults to live productive and independent lives through all the programs that I mentioned here in the proclamation, as well as having a spirit, a real spirit of leading a rich life.

There's one person who is here, and I don't want to embarrass her, who is a perfect example of this, and that's Sue Edders. Sue is the receptionist there, a community activities in the best sense of the word. And Sue really embodies that spirit of the Pittsburgh Blind Association. So, we're really very lucky to have her here.

We also have Dennis Huber who is the Executive Director of the Blind Association, and Robert McKee who is the Director of Programs and Projects. So, without further ado, I'd like Dennis to say a few words.

One last thing, and that is one of the main reasons we're doing this now is to promote the Black Tie Bingo Event that they're

having at the Vista International Hotel. If you haven't signed up for it to go, it's a fundraiser, they need the money, and please do by calling the Pittsburgh Blind Association and attending their Black Tie Bingo.

Mr. Huber:

Thank you very much, Dan, and special thanks to City Council. I know over the past I've been down here on occasion offering testimony and asking for your support and it's a pleasure to come here today to receive this proclamation. I don't know if you're aware of it but the association between the Pittsburgh Blind Association and the City goes back to 1910 when we were founded and the City at the time provide a start up grant to enable us to begin our sheltered workshop which helped employ over the years many hundreds of people with vision problems.

We've expanded, as Dan mentioned. In fact there's no truth to the rumor that he's our public relations person. He does a fine job and is always responsive to our requests.

We have many programs, as he had mentioned. If anybody would like to see what we do at Pittsburgh Blind Association, you have my open invitation to come for a tour. I think you'll be impressed. I have given many tours for people for the United Way and for other organizations, and when they finish, the comment that I always hear as they're leaving the building is, "I never realized what you did here fact, I was so prompted by that that I did write an article for our news letter that started off, "I never

realized..." and we went into all the details about what we do at Pittsburgh Blind Association.

Again, we are having our annual fundraiser Black Tie Bingo at the Vista. There are plenty of good seats still available if anybody would like to come. We have celebrity callers, a lot of good prizes and a lot of good companionship for the evening. And it's all for the cause of raising money for our programs.

So, we're very appreciative, again, of the support of Council, especially of our Councilman, Dan Cohen.

I'd like to ask Sue Edders if she would like to say a few remarks from her perspective.

Ms. Edders:

I'm not a stranger to City Council, I've spoken a couple times about the bus stops and also the audible traffic signals.

I just want to take this time to personally thank Dan Cohen and Chuch Langdon for always listening to me when I called their office. And I just want to thank them for working so hard to get the audible traffic signals in the South Craig Street corridor. It has helped a lot of blind and elderly people in our neighborhood get to the PBA and to various stores in the neighborhood.

I sincerely hope that you will attend the Black Tie Bingo and come to it because the proceeds will help in many, many programs including some new ones that we've started at PBA. The under supported employment, we have the Employee Technology Center where blind people are actually,

learning about computers and technology, and this very, very important.

Again, I just hope that a lot of you will come to PBA and tour it and, if you ever call, you will get me on the switchboard and I will be very happy to help you.

Thank you for having me come today. I really enjoyed being here. Thank you.

Mr. Cohen:

Sue Dennis and Robert, thank you very much. Congratulations.

The Chair:

Thank you all.

Mr. Cohen:

Would the folks from the Preschool Development Programs please come up?

This proclamation is for the Preschool Development Programs and Councilman Dan Onorato and I are introducing it.

Mr. Cohen and Mr. Onorato present

No. 2201 W H E R E A S ,
Preschool Development Programs is a non-profit corporation that provides comprehensive child development services to preschool children and outreach and training services to parents; and

WHEREAS, Preschool Development Programs assists low income families in developing their skills and abilities so that they may build a better life for themselves and their children; and

WHEREAS, Preschool Development

Programs began its Head Start Program on October 1, 1983, and now provides services to more than 600 children, employees 84 people at 10 center sites and 18 classrooms within the City of Pittsburgh; and

WHEREAS, Preschool Development Programs is celebrating their tenth anniversary of providing education, health, nutrition parent involvement, social and handicapped services to more than 3,850 Pittsburgh families.

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh congratulates and commends Preschool Development Programs for ten years of outstanding service to families and children of the City of Pittsburgh; and

BE IT FURTHER RESOLVED, that the Council of the City of Pittsburgh declares Thursday, April 1, 1993 to be "Preschool Development Programs Day" in the City of Pittsburgh.

Mr. Cohen moved to adopt the resolution.

Mr. Onorato seconded the motion.

Which motion prevailed.

Mr. Cohen:

We have with us today Mary Moses, the Education Coordinator, Donald Tyler, the Parent Involvement Coordinator, Tonya Avery and Duane Boykin. Thank you so much, all of you, for being here.

We often hear about the need for more money for children's programs and the reason is clear

that if we invest in our children then we will save not only so much money down the road in terms of government, but also we'll have a more productive society. And that's what these people are doing right here because they're investing in our children.

Marion Write Adelman, the head of the Children's Defense Fund, often says that if you put \$1 into a child's education and a child's quality of life, then you'll save at least \$7 down the road.

So, that's exactly what these people are doing and why this is such an important program. And I believe it's headquarters are on the North Side so Dan Onorato is very much involved as well. Congratulations to all of you.

I'd like to have Councilman Onorato say a few words and then present you with this proclamation.

Mr. Onorato

I just want to add real quick that it's pretty ironic that this one subject, the Head Start in Preschool, that both Republicans and Democrats agree that we should continue to fund. It's a program that works. There are a lot of programs that are developed and that come and go because it's a lot of waste of money. The money is just thrown at a problem and we don't resolve anything. But everyone is starting to recognize now that if you attack the problem at a preschool level, you can develop these individuals as lifelong productive residents and citizens of this society.

So, at this point I think that

we should all recognize that what they're doing here is going to affect every one of us because these individuals will be living in our neighborhoods, they'll be productive, and instead of asking from society they will be giving. So we can never forget and quit funding programs that attack the preschool problems because that's where it is. We live in an age now here we see what happens where you don't help the preschoolers and you wait until they're 18 or 15, whatever it might be, and the cost is just unbelievable.

So, it's a great program. I congratulate them and I hope that they continue to get their funding at all levels. Thank you very much and congratulations.

Speaker:

Thank you. There's not much more I can say. I'd just like to thank the President and Members of City Council for this proclamation.

There is one other thing. Head Start has been in existence for 28 years and we have a proven track record. We are having our open house on Thursday, April 1st, at 116 Federal Street and everyone is invited. It's going to be from 2:00 to 7:00. When you come there, you'll be able to get a good, long detail of what Head Start has done for children and families and what we do with our program on the North Side.

Thank you very much again for this proclamation.

Mr. Darkins presents:

No. 2202 WHEREAS, at approximately 2:55 p.m. on

Tuesday, January 19, 1993 School Crossing Guard Denise Daniels Elko heard a gun shot fire coming from a passing car at the corner of Larimer and Meadows; and

WHEREAS, Mrs. Elko, quickly and without regard for her life, single-handedly guided 22 young children to safety as they departed from their school bus; and

WHEREAS, Mrs. Elko's unselfish action gave comfort and security to innocent children while also preventing panic and possible injuries; and

WHEREAS, Denise Daniels Elko has worked for the Department of Public Safety School Crossing Guard Division for ten years, and has been assigned to the Larimer and Meadows intersection for eight years; and

WHEREAS, Denise is married to James and they live in Pittsburgh's Morningside neighborhood.

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh commends Denise Daniels Elko for her heroic courage and further extends appreciation to her for taking charge of a situation and protecting children from threatening harm.

Mr. Darkins moved to adopt the resolution.

Mr. Ferlo seconded the motion.

Which motion prevailed.

Mrs. Elko:

I'd just like to say thank you for this great honor and I'm very proud. And I'd like to say that I attribute my dedication to being a member of one of Pittsburgh's finest organizations, the City School Guards.

I'd like to thank the school children and all of my friends on Larimer and Meadow for their constant reassurance and friendship.

I'd also like to thank the Zone 5 Police for always watching over me. Thank you.

Mr. Ferlo presents

No. 2203 WHEREAS, Pat Winters has been an active member of Morningside Ladies Auxiliary to V.F.W. Post #3945 since 1978, joining under the eligibility of her husband John, and has held various offices and Chairmanship, and served as President for three years; and

WHEREAS, Pat has served as the Delegate to the Department of Pennsylvania Conventions for five years, and serving as a Page and as Convention Parade Chairman; and

WHEREAS, while serving as a Delegate to Allegheny County Council Ladies Auxiliary, Pat held several Chairmanships while going through the Chairs. She has been Chairman for Buddy Poppy, Rehabilitation, Membership, and Cancer, which she won an award for at the Department Convention. While going through the Chairs, Pat has been an active member of the Loyalty Day Committee. Currently she is serving as President of Allegheny County Council Ladies Auxiliary; and

WHEREAS, Pat is also a volunteer at the Highland Drive V.A. Medical Center, and a member of the Women's Auxiliary to the Military Order of the Cooties, and Sahara#4; and

WHEREAS, Pat is a member of St. Lawrence O'Toole Church, where she has served as a member of the P.T.G. as Den Mother and Girl Scout Leader. She is a member of Morningside Area Community Council, and a block Captain. Pat served as Judge of Elections for the 10th Ward, 10th District, for six years and

WHEREAS, Pat has been married to her husband, John, for 26 years, and has 2 children - Michele and John, Jr. She also has 1 grand daughter - Alexis.

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh does hereby recognize Pat Winters for her dedication and accomplishments that she has made during her service with the V.F.W. Morningside Post No. 3945; and

BE IT FURTHER RESOLVED, that the Council of the City of Pittsburgh proclaims Saturday, April 3, 1993 as "Pat Winters Day" in the City of Pittsburgh.

Mr. Ferlo moved to adopt the resolution.

Mr. Darkins seconded the motion.

Which motion prevailed.

Mr. O'Connor:

I hope a lot of people are watching Council today because we've really had a lot of nice

proclamations. Living here and as active as I am, I thought I knew a lot of things going on but I guess we don't realize the Blind Association, the Pre School, the School Crossing Guards that we have on almost every corner. My aunt just had a lung transplant in Presby, waiting over a year and a half, and it made me much more aware of what goes on in our City as far as medical staff. And I think this proclamation will follow up on Dan Cohen's Blind Association. This has to do with transplants and I really learned a lot from it and hopefully everybody pays attention and realizes some of the great things we have in our City.

Mr. O'Connor presents

No. 2204 W H E R E A S ,
because the gift of sight is precious, our eyes being the pathway to viewing and learning about the world, and because to lose one's vision is to lose touch with part of life around us, the Medical Eye Bank of Western Pennsylvania was founded in 1973 as a non-profit organization dedicated to the recovery, preservation and distribution of corneal tissue for sight restoration and research; and

WHEREAS, the Eye Bank's service of providing corneal transplant surgery, free of charge, has miraculously opened the windows to the world again for those who have lost their sight; and

WHEREAS, in 1992 alone, the Medical Eye Bank of Western Pennsylvania, under the leadership of its Executive Director, Mary Anne Vitunac, has helped provide the gift of sight to over 400 area

residents through cornea transplants, though there are many more people waiting.

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh does hereby commend the Medical Eye Bank of Western Pennsylvania for its noble effort to restore sight to many area residents; and

BE IT FURTHER RESOLVED, that the Council of the City of Pittsburgh does hereby proclaim March 1993 as "Eye Donor Month" in the City of Pittsburgh, as a reminder to persons who wish to give a priceless legacy by donating their eyes to the Eye Bank so that they may change a dark world into a sighted one for many grateful persons. Mr. O'Connor moved to adopt the resolution.

Mr. Ricciardi seconded the motion.

Which motion prevailed.

Mr. O'Connor:

I have Mary Anne here but before that, I have mine and on the bank of your driver's license, it's so simple to give. All it takes is a little sticker.

Ms. Vitunac:

I'd like to thank you for recognizing March as Eye Donor Month in the City of Pittsburgh.

As we said earlier, the eye bank provided 400 corneas last year to area residents. You may be surprised to learn, however, that last year over 40,000 people nationwide had their sight restored or improved by corneal transplant surgery.

We are hoping that 1993 will be an even better year for the Eye Bank, and we're getting off to a great start. Earlier this month we recovered 21 corneas in 6 days alone, which was a record for our Eye Bank.

In 1993, as we celebrate our 20th year anniversary, we hope to inform the residents of the City of Pittsburgh of the need for eye donation. There's still a tremendous need and we're thanking City Council for helping us carry this message today.

In closing, I would like to introduce Mrs. Thelma Whorling who is a cornea recipient. I'll allow her to say a few remarks telling her story. Mrs. Whorling:

As a recipient of two cornea transplants, I would like to say how appreciative recipients are to the donor families who have consented to allow the donors to make this gift. It's not only a gift of sight to use, it's a gift of restoration of our life. And it allows us to continue in our life style.

It's also an area where all of us can contribute, regardless of age. Some transplants are not allowed because of age. But any of us, no matter what our age may be, can be a donor. And we urge all of you to consider that and to remember that you are giving much to someone else and allowing them to go on with their lives.

Thank you all very much.

Mr. O'Connor presents

No. 2205 WHEREAS, Johnny

and Susie Sciarretti will both celebrate the occasion of their births on Sunday, March 28, 1993, to mark their completion of the journey of being completely "Over the Hill", having attained the age of fifty years; and

WHEREAS, this celebration will also mark the 30th year of their marriage to one another, a marriage that began in 1963 when two wild eyed lovers, unable to resist the entreaties of Cupid ran off in the dead of night to the great State of Maryland to be joined, for better or for worse, in the state of matrimony; and

WHEREAS, this union produced three devoted sons, John, Jr., Michael and Christian, and three grandchildren, Nicholette, Maria and Mark, thus assuring Johnny and Susie that they will always be actively involved with their utmost passion in life-child care; and

WHEREAS, despite the fact that in recent years Johnny's once beautiful body has gone to seed no matter how much golf he plays and Susie now finds herself walking aimlessly about shopping malls, they managed to, together through hard work and commitment, build a successful family business providing employment to their sons.

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh congratulates Johnny and Susie on this grand occasion of their 50th birthday and 30th wedding anniversary; and

BE IT FURTHER RESOLVED, that the Council of the City of Pittsburgh declares that Sunday, March 28, 1993 be declared "John

and Susie Sciarretti Day" in the City of Pittsburgh.

Mr. O'Connor moved to adopt the resolution.

Mr. Ferlo seconded the motion.

Which motion prevailed.

Mr. Onorato:

I'd like to call up at this time Linda Dugan, Marian Wyckoff, Linda McLaughlin, Amy McLaughlin, Sue Wetzel, Justin Ferrari, Shawn Wyckoff, Ryan Dugan and Carl Bocek.

Mr. Onorato presents

No. 2206 WHEREAS, Ryan Dugan of Riverview High School, Amy McLaughlin and Just Ferrari of John H. Linton Middle School, Shawn Wyckoff and Sue Ann Wetzel of Sprindale Junior/Senior High School, and Carl Bocek III of Deer Lakes Junior High School, have been selected by People to People Initiative for Understanding to visit Moscow, St. Petersburg and various cities in the Commonwealth of Independent as Student Ambassadors; and

WHEREAS, the Student Ambassadors will spend approximately three weeks this summer learning about the Commonwealth of Independent States through such activities as briefing at embassies site visit discussion with industry and officials, and meeting with youth clubs; and

WHEREAS, Student Ambassadors will receive an overview of the cultural heritage of the area during visits to major historical sites, and along with the

delegations they will be staying in a Pioneer Camp with Soviet children; and

WHEREAS, Student Ambassadors will have here visits with host families to enable the Student Ambassadors to gain a first hand understanding of the ways in which people live and work in Soviet Culture; and

WHEREAS, these students will prepare for this overseas project by studying background material and the language of the country; and

WHEREAS, these students were chosen for this overseas project after completing personal interviews with members of a screening committee and also on the basis of recommendation and school references.

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh hereby recognizes the Student Ambassadors for participating in the People to People International overseas project and for their individual merits which allowed them to be chosen for this adventure.

Mr. Onorato moved to adopt the resolution.

Mr. O'Connor seconded the motion.

Which motion prevailed.

Mr. Onorato:

I'd just like to mention that these individuals represent a variety of schools. This is a very interesting project, especially now with all the action taking place in Russia. However, I was informed this morning that

they're still excited and they can't wait to get over there and interact with the Russian children.

But, at this point, I would like Linda Dugan to come forward to talk a little bit about the program and we'll hear from, hopefully, some of the youth going.

Ms. Dugan:

Thank you, Dan, for giving us the opportunity to be here today.

I'd just like to say, this program was set up by Dwight Eisenhower, President Eisenhower, and it's an opportunity to give the youth and exchange in culture environment.

There are approximately 30 students that are going, but this group is here to see how City Council works, see how our government works, and hopefully they can take some culture back to Moscow from the City.

Mr. Ricciardi:

I would like to ask Mr. Arthur Ziegler and our friends from the South Side if they could please escort Sarah Evosevich to the front of the room.

Mr. Ricciardi presents

No. 2207 WHEREAS, Sarah Vukelich Evosevich came to America as a Serbian immigrant from Croatia in 1931 with her husband, Nick; and

WHEREAS, following the death of her husband six years later, Sarah opened a lunch counter and

confectionery while working at Oliver Iron and Steel to support her four natural and one foster child and

WHEREAS, in 1947, Sarah Evosevich opened "Sarah's Restaurant" at 52 S. 10th Street South Side, and continued to operate that restaurant for 52 years, providing her own special brand of hospitality to residents of Pittsburgh and visitors alike; and

WHEREAS, Sarah, through personal sacrifice and dedication, raised her children to be productive Americans, provided support to numerous immigrants and local residents in need; and

WHEREAS, through her personal generosity, Sarah has contributed or been responsible for the contribution of thousands of dollars to her home church in her native land, to provide books for the South Side Branch of the Carnegie Library in the name of her late daughter, Bosanka, to fight drug abuse by children and numerous other worthy causes; and

WHEREAS, ill health forced Sarah Evosevich to retire from public life in 1992 At the age of 80.

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh does hereby recognize and applaud the commitment and service of Sarah Vukelich Evosevich to her adopted country, to here family, her church and to the thousands of individuals she has helped in some way, and joins with her many friends and associates in congratulating her on her well-deserved retirement and in

wishing her a long and happy life.

Mr. Ricciardi moved to adopt the resolution.

Mr. O'Connor seconded the motion.

Which motion prevailed.

Mr. Ricciardi:

I'm very proud and honored to give this resolution today. There's so many people who would like to say some kind words about Sarah that I'm going to forego the podium and I'd like to ask Mr. Art Ziegler who I think was as surprised as Sarah that he was able to make it today as your escort, if he could begin by saying a few words.

Mr. Ziegler:

It wasn't very long ago that we published the autobiography of Sarah which she dictated to members of our staff and she edited it. And I just do not want to say something myself; I want Sarah to say it in her words, and I'm quoting from her book where she said, "I want to be remembered just as me - Sarah - only a mother, grandma and sister." She left our restaurant but I'm remembering that part. "Not in any other way a normal and wise person, a hard worker. My nature is to love people".

We're very pleased that Council today is giving Sarah love and esteem as her friends have for many years and we thank all of you.

Mr. Ricciardi:

I'd like now to ask Jo Kenney who is the President of the Friends of the South Side Library if she could also say a few words.

Ms. Kenney:

First of all, Members of City Council, I would like to say to you that by honoring Sarah Evosevich this morning with this resolution you really deserve applause from the Citizens of the community of the South Side. Sarah is well known to everyone on the South Side and she, in fact, I would say has become a legend in her own time, not only because of being hostess to many celebrities as well as regular people who like good food as was indicated in the resolution, but because of her love for the people of the South Side and her great interest in education not only for children but for adults as well. That was shown manifestly with the work that she did in educating her children. Bosanka Evosevich was a well known, respected educator in the City of Pittsburgh.

We, Friends of the South Side Library, can testify to her dedication to education. She has been extremely generous and many times surprisingly so to us. And the many books on the shelves of the Library contributed through the generosity of Sarah attest to that fact.

We claim Sarah as a member of our group, Friends of the South Side Library. We have extended to her an honorary membership and we have shown our love and appreciation to her by presenting her with a plaque in memory of herself and of her daughter, Bosanka. That plaque is hanging on the wall at the Library.

We are very grateful to Sarah for her generosity and we are extremely grateful, also, to City Council for honoring one of our own. Thank you very much.

Mr. Ricciardi:

Before we ask Sarah to come to the mike, I'd like to ask Mr. Hugh Brannon who is the Executive Director of Brashear Association in the South Side and also Chairperson of the South Side Planning Forum if he could come to the podium, please.

Mr. Brannon:

The South Side Planning Forum and its member organizations have long recognized the many contributions of Sarah to our City and to our community.

A businesswoman, a generous patron to many South Side organizations and causes. By her active involvement over the years, Sarah has clearly made a difference in our community and in our City. And the South Side Planning Forum is very happy this morning to have the opportunity to add our thanks and our best wishes.

Mr. Ricciardi:

Colleagues, visitors, I think it's obvious here we have a very special person before us. The moment is near and I'd like to ask Sarah Vukelich Evosevich to please come to the mike.

Congratulations, Sarah.

Michelle Madoff:

Sarah, tell me you loved me

before you loved him.

Mrs. Evosevich:

I do love you all. I can't pick any one because I love you all. You're all doing a wonderful job. If I didn't think so I wouldn't be here, believe me.

So many things to say, I really don't know what to say except I love you and thank you for everything. It's an honor to be here and I'm grateful to be here with you guys, very much.

Thank you to our President. Thank you to Council. Thank you to the friends around. Thank you very much to everyone.

Michelle Madoff:

Sarah, we go back a long way. I don't want to bring any more tears to your eyes but we have a great love for your daughter who was one of the first women who did things in this community and we gave her our Women of the Month Award posthumously. The apple didn't fall far from the tree. She was special, you're special; and you are a tradition in this City.

Mrs. Evosevich:

I sure believe she is with us today.

Michelle Madoff

Absolutely. She's watching and very proud of you today.

I want you to know that I love you dearly and, you know, we're going to come see ;you and you can make dinner for me.

Mrs. Evosevich:

Thank you all.

The Chair presents

No. 2208 WHEREAS, the Borough of West Homestead passed a resolution signifying its desire to become a member of the already existing Steel Valley Authority; and

WHEREAS, the Steel Valley Authority was incorporated in response to the extensive industrial shutdowns and layoffs in the Monongahela and Turtle Creek Valleys and the resulting adverse effects on the health, safety, welfare and commerce of the residents and communities in those valleys; and

WHEREAS, the Borough of West Homestead has experienced the same industrial decline as the municipalities of the Steel Valley Authority and now desires to join with them for the same purposes and in pursuit of the same goals pursuant to the Municipalities Authorities Act of 1945.

NOW, THEREFORE, BE IT RESOLVED, that the City of Pittsburgh expresses its consent to the Borough of West Homestead joining the Steel Valley Authority, pursuant to Section 3.1 of the Municipal Authorities Act of 1945; and

BE IT FURTHER RESOLVED, that a copy of this Resolution shall be delivered to the original members of the Steel Valley Authority for the purpose of adopting resolutions to join in the execution of the Borough of West Homestead's application to become a member of the Steel Valley

Authority, pursuant to P 3.1 of the Municipality Authorities Act of 1945.

Mr. Cohen moved to adopt the resolution..

Mr. Ferlo seconded the motion.

Which motion prevailed.

The Chair:

This resolution is to include West Homestead into the Steel Valley Authority Group of Municipalities.

I'd like to welcome the children from Fort Pitt Elementary School in Garfield who are with us today, and their teacher, Mr. Harold Goldman. Welcome.

Mr. Cohen presented

No. 2160 Resolution providing for the issuance of A \$840.00 warrant in favor of Rabbi Alvin K. Berkun in settlement of claim for sidewalk damage due to City tree roots at 5830 Solway Street, payable from Code Account No. 46, Judgments.

Also,

No. 2161 Resolution providing for the issuance of a \$1,624.69 warrant in favor of Kara-Lin Finalyson in settlement of claim for automobile damage occurring on September 28, 1992 when a City Refuse truck struck a parked car on Minnesota Street, payable from Code account No. 46, Judgment.

Also,

No. 2162 Resolution providing for the issuance of \$868.63 warrant in favor of American Rent

A Ride in settlement of claim for automobile damage to City leased vehicle while parked, payable from Code Account No. 46, Judgment.

Which were severally read and referred to the Committee on Finance.

Mr. Darkins presented

No. 2163 Resolution providing for the issuance of a warrant in favor of Helen Hull Consultant, 719 Singer Place, Pittsburgh PA 15221, in the amount of \$300.00 in payment for professional consulting services rendered to Councilman Duane A. Darkins for the month of February, 1993, chargeable to and payable from Code Account 1001-2, Salaries, Wages and Services of Council, As Needed, (Index Code 100123), City Council, District 9.
---(SPONSORED BY MR. DARKINS)

Which was read and referred to the Committee on Finance.

Mr. Darkins moved to suspend Rule 8 by providing for consideration of the bill only until or after the 8th calendar day following the meeting in which the bill was introduced so the bill will be on the agenda this Wednesday.

Mr. Ferlo seconded the motion.

Which motion prevailed.

Also,

No. 2164 Resolution granting unto Richard A. Pagliari, 600 Amberson Avenue, Pittsburgh, PA 15232, his successors and assigns, the privilege and license to construct, maintain and use at his own cost and expense, a fence on a portion of Amberson Avenue and

Ellsworth Avenue in the 7th Ward, 8th Council District of the City of Pittsburgh. This request is made by Richard A. Pagliari to fence off this yard area.

Also,

No. 2165 Resolution granting unto Steve V. Slovak, Jr., 1016 Fritz Street, Pittsburgh, PA 15203, his successors and assigns, is hereby granted the privilege to construct, maintain and use at his own cost and expense, a portion of a house, wall and concrete patio in the right-of-way of Fritz Street in the 17th Ward, 3rd Council District of the City of Pittsburgh. Upon purchasing a house at 1016 Fritz Street, Steve V. Slovak, Jr. had a property survey done and discovered part of his house, wall and patio encroach in the right-of-way of Fritz Street.

Also,

No. 2166 Resolution providing for a Contract or Contracts or the use of existing Contracts for the purchase of litter receptacles at a cost not to exceed \$50,000.00 chargeable to and payable from Code Account 3-01-35-0074-93, trash Receptacle Program.

Also,

No. 2167 Resolution providing for a Contract or Contracts, or the use of existing contracts for the purchase of litter receptacles at a cost not to exceed \$40,000.00 chargeable to and payable from Code Account 1612-2. Equipment.

Also,

No. 2168 Resolution providing

for a Contract or Contracts, or the use of existing Contracts for the repaving of various areas throughout the City of Pittsburgh with reclippped blockstone or brick surfacing and other work incidental thereto at a cost not to exceed \$250,000.00, chargeable to and payable from Code Account Brick St. Restoration, 3-01-01-0030-93.

Which were severally read and referred to the Committee on Public Works.

Mr. Ferlo presented

No. 2169 Resolution authorizing the URA of Pgh. to acquire property in the 10th Ward of the City of Pgh. under the Residential Land Reserve Fund, said property having been certified as blighted by the Vacant Property Review Committee and the Planning Commission of the City of Pittsburgh. (Council District No 7)

Also,

No. 2170 Resolution authorizing the URA of Pgh. to acquire that property in the 11th Ward of the City of Pgh. owned by Wayne E. Brooks and Karen H. Brooks, and designated as Block and Lot 83-A-48 in the Deed Registry Office of Allegheny County, for the Fair Market Value, under the Residential Land Reserve Fund, said property having been certified as blighted by the Vacant Property Review Committee and the Planning Commission of the City of Pittsburgh. (Council District No. 7)

Also,

No. 2171 Resolution approving execution of a Contract for

Disposition of sale of Land by and between the URA of Pgh. and Guy C. Hopper for the sale of Block and Lot 83-A-48 (626 N. Aiken Avenue), for the sum of \$3,000.00, in the 11th Ward of the City of Pittsburgh. The redeveloper intends to rehabilitate the vacant structure and subsequently occupy this single-family dwelling. The consists of approximately 3,500 square feet of land. The redeveloper is Guy C. Hooper, 1430 N. St. Clair Street, Pgh., PA 15206. (Council District No. 7)

Also,

No. 2172 Resolution authorizing the URA of Pgh. to acquire all of the City's right, title and interest, if any, in and to various publicly-owned property in the City of Pittsburgh, for the sum of \$1.00. (Council District Nos. 3, 6, 7, & 9)

Also,

No. 2173 Resolution approving execution of a Contract for Disposition of Land by and between the URA of Pgh. and Terrace Congregation of Jehovah's Witnesses for the sale of Parcels 127, 128B and 129, for the sum of \$37,500.00, in the 5th Ward of the City of Pittsburgh in Redevelopment Area No. 32. This vacant lot is located in the 700 Block of Herron Avenue between Bedford Avenue and Ridgeway Street. The redeveloper plans to construct a 5,676 square foot Kingdom Hall on this site. This site contains approximately 114,910 square feet, a portion of which is unbuildable slope area. The redeveloper is a Pennsylvania non-profit corporation, Terrace Congregation of Jehovah's

Witnesses located at 4100 Bigelow Boulevard, Pgh., PA 15213. The Presiding Overseer/Building Committee Chairperson is S.Wynn Jones and the Secretary is Calvin D. Smiley. (Council District No. 6)

Which were severally read and referred to the Committee on Planning, Housing and Development.

Mr. Onorato presented

No. 2174 Resolution providing for the issuance of a warrant in favor of Laerdal Medical Corporation, in the amount of \$42,248.80 in payment of Automatic Defibrillation Equipment for the Fire Bureau, chargeable to and payable from Code Account 1464, Equipment, Dept. of Public Safety, Bureau of Fire.

Also,

No. 2175 Resolution amending Res. No. 654, appro. Aug. 11, 1988, eff. Aug. 15, 1988, as amended by Res. No. 46, eff. Feb. 20, 1989, entitled "Resolution authorizing the Mayor and the Chief of Magistrate of the City of Pgh. to enter into a Merchant Agreement or Agreements with Equibank for implementation of a Visa/Mastercard Payment Program to be instituted at the City Tow Pound and providing for the payment of applicable membership fees, discount fees, machine rental fees, and any other applicable fees and further providing for the guaranteed payment to the City of Pgh. by Equibank of all credit card transactions, subject to, and conditioned upon, the annual appropriations at a cost not to exceed \$2,500.00 chargeable to and payable from Code Account No. 1023, Misc. Services, Magistrate

Court," by providing for an Administrative Fee.

Which were read and referred to the Committee on Finance.

Also,

No. 2176 Resolution amending Res. No.116, eff. Feb. 23, 1993 entitled. "Resolution providing for a Contract or the use of existing Contracts to purchase Cycle Helmets for the Bureau of Police at a cost not to exceed \$52,890.00 chargeable to and payable from Code Account 1450, Equipment, Bureau of Police, Department of Public Safety." The amendment is to include Radio Equipment with the Cycle Helmets for the Bureau of Police and providing for the payment thereof.

Also,

No. 2177 Resolution providing for the letting of a Contract or Contracts or use of existing Contracts for the furnishing and delivery of Saber 2 UHF Hi-Power Portable Radios for the Dept. of Public Safety, Bureau of Building Inspection at a cost not to exceed \$25,000.00, chargeable to and payable from the Bureau of Building Inspection Trust Fund (BBITF).

Which were read and referred to the Committee on General Services.

Also,

No. 2178 Resolution providing for an Agreement or Agreements with the Center For Emergency Medicine of Western Pennsylvania (CEM)/Infectious Disease Control in connection with Emergency Medical Services of Pittsburgh for

the protection of life and health of the people within the City of Pittsburgh at a cost not to exceed \$75,000.00, chargeable to and payable from Code Account 1401, Bureau of Administration, Dept. of Public Safety.

Which was read and referred to the Committee on Public Safety.

Mr. Ricciardi presented

No. 2179 Resolution providing for a Contract for the Construction of the Courts Facility Foundation, Package 1 of Phase I, of the New Public Safety Complex at a cost range of \$600,000.00 or more but less than \$700,000.00 chargeable to and payable from Code account EC92-525.

Which was read and referred to the Committee on Engineering and Construction.

Mr. Ricciardi moved to suspend Rule 8 by providing for consideration of the bill only until or after the 8th calendar day following the meeting in which the bill was introduced so the bill will be on the agenda this Wednesday.

Mr. O'Connor seconded the motion.

Which motion prevailed.

Also,

No. 2180 Resolution providing for the issuance of a warrant in favor of the Stadium Authority in the amount of \$500,000.00 for Various Capital Improvements, payable from Code Account EC93-529.

Which was read and referred to the Committee on Public Safety.

Also,

No. 2182 Resolution authorizing the Mayor and the Director of the Dept. of Engineering and Construction to execute a Deed of Easement granting to Joseph Lauterbach, the right to enter upon property of the City at 1811 Brownsville Road, designated as Block 60L, Lot 252, in the 29th Ward to maintain repair and remove a wall located on property of the Grantee. The Easement shall be conveyed in consideration of the sum of one Dollar (\$1.00).

Also,

No. 2183 Resolution authorizing the Mayor and the Director of the Department of Engineering and Construction to accept an easement granting the City the right to enter upon the property of Joseph Lauterbach in the 29th Ward, designated as Block 60L, Lot 250 to erect a fence and attach the same to a wall on the property of the Grantee. The consideration of the Deed of Easement shall be One Dollar (\$1.00), payable from Code Account EC 92-19.

Also,

No. 2184 Resolution authorizing and directing the construction of an extension of One Thousand Three Fifty Feet of Public Sanitary Sewers on Sylvan Avenue, Noah Way and Tasso Street in the 15th Ward, including all other work necessary in connection therewith; letting a Contract or Contracts therefore, and providing that the costs, damages and expenses of the same be assessed

against and collected from property specially benefited thereby. The Contract price or Contract prices are estimated to be in an amount ranging between \$120,000.00 and \$150,000.00 which is the estimate of the whole cost as furnished by the Department of Engineering and Construction and will be paid by the Pittsburgh Water and Sewer Authority.

Also,

No. 2185 Resolution further amending Res. No. 1327, eff. Dec. 23, 1982, as amended by Res. No. 820, eff. September 320, 1983, as amended by Res. No. 612, eff. Aug. 3, 1989, as amended by Res. No. 637, eff. July 5, 1990, as amended by Res. No. 567, eff. May 13, 1992, entitled: "Providing for an Agreement or Agreements or Supplemental Agreement or Agreements with Consultant or Consultants for Engineering Services in connection with the Rehabilitation of a portion of Ft. Pitt Blvd. - Eastbound and the Rehabilitation of the Market Street Overpass; providing for a Reimbursement Agreement or Agreements with the Commonwealth of Pennsylvania, Dept. of Transportation; and providing for the payment of the cost thereof," by increasing the total project allocation by \$50,000.00, from \$976,000.00 to \$1,026,000.00.

Also,

No. 2186 Resolution providing for a License Agreement with Duquesne Light Company to install an underground electrical system on City-owned property fronting on Freeport Road, situated in the 12th Ward of the City of Pittsburgh, and granting to St. Margaret Memorial Hospital the

privilege and license to install the conduit, vault, transformer pad, and post and chain barrier required as part of the underground electrical system.

Also,

No. 2187 Resolution providing for a License Agreement with the Cameron Park Zoological and Botanical Society, Inc., a non-profit corporation, Waco Texas, for the use and reproduction of certain artwork and copy developed by the City of Pittsburgh for use as exhibit signage at the Pittsburgh Zoo.

Also,

No. 2188 Resolution authorizing the Mayor and the Director of the Department of Engineering and Construction to enter into a License Agreement with the Pennsylvania Department of Environmental Resources for right-of-way in connection with a pedestrian bridge being built by the City on the Fort Duquesne Bridge in Point State Park.

Also,

No. 2189 Resolution providing for an Easement Agreement or Agreements with the Diocese of Pittsburgh in connection with construction and maintain sewers and waterline on the Catholic Institute of Pittsburgh property in the 14th Ward of the City of Pittsburgh.

Also,

No. 2190 Resolution authorizing the Mayor and the Director of the Dept. of Engineering and Construction to

execute a Traffic Signal Maintenance Agreement with the Pennsylvania Dept. of Transportation for the City's operation and maintenance of a traffic signal to be installed at the intersection of Route 41 and Woodruff Street.

Also,

No. 2191 Resolution further amending Res. No. 1348, eff. January 1, 1993, entitled: "Adopting and approving the 1993 Capital Budget and the 1993 CDBG Program; and approving the 1993 through 1993 Capital Improvement Program," by increasing EC 93-143 (Tree Planting Program) by \$25,000.00 from \$100,000.00 to \$125,000.00.

Also,

No. 2192 Resolution amending Res. No. 126, eff. Feb. 23, 1993 entitle: "Providing for a Contract or Contracts, or use of existing Contracts, for Street Tree Planting at Various Locations; and providing for the payment of the cost thereof," by increasing the total project allocation by \$25,000.00 from \$100,000.00 to \$125,000.00, chargeable to and payable from Code Account EC 93-143 -\$75,000.00 and Code Account CDEC 92-143-\$50,000.00.

Also,

No. 2193 Resolution providing for a Reimbursement Agreement or Agreements with the Pennsylvania Dept. of Environmental Resources, bureau of Forestry, for their share of costs of the purchase and installation of street trees to be planted in designated areas; and providing for the deposit of said

reimbursement. Any reimbursement received from the Pennsylvania Dept. of Environmental Resources in connection with said project, shall be deposited in the Dept of Engineering and Construction's Unrestricted Cash, 1989 Project Fund, Code Account EC 93-143.

Also,

No. 2194 Resolution adopting Official Sewage Facilities Plan for the Campbell Heights Plan located on the South Side of Mooney Road 110 West of Lindberg Avenue in the 31st Ward of the City of Pittsburgh.

Which were severally read and referred to the Committee on Engineering and Construction.

The Chair presented

No. 2195 Resolution transferring the amount of \$10,000.00 from Code Account 1002, Salaries and Wages, Regular and Temporary Employees to Code Account 1006-9, Worker's Compensation, City Clerk's Office.
---(SPONSORED BY MR., WAGNER)

Which was read and referred to the Committee on Finance.

UNFINISHED BUSINESS

Mr. Ferlo:

There is a desire in front of Council to untangle a previous bill that didn't receive the necessary six votes for a warrant.

I move to untangle Bill No. 1968.

Mr. Ricciardi seconded the motion.

Which motion prevailed.

Bill No. 1968

A Resolution entitle, "Resolution providing for the issuance of a warrant in favor of Michael Facchiano Contracting in the amount of \$138,398.96 for extra work performed at the Schenley Park Plaza Parking Lot."

Which was read.

Mr. Ricciardi:

I had abstained on the bill I believe a week or two ago pending a memorandum from the Administration on the warrant, the time factor involved. I did receive that memorandum early this morning, had discussions without Solicitor, Mary Conturo, and our colleague who sits on the Parking Authority, and I will be voting in the affirmative for the bill today.

The Chair:

Is there any further discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. O'Connor
Mr. Darkins	Mr. Onorato
Mr. Ferlo	Mr. Ricciardi
Michelle Madoff	Mr. Wagner
	(Pres't)

AYES 8

NOES none

And there being two-thirds of the votes of Council in the affirmative, the bill passed finally.

REPORTS OF COMMITTEES

Mr. Cohen presented

Bill No. 2196

Report of the Committee on Finance
for March 24, 1993 transmitting
sundry resolutions to Council.

Which was read, received and
filed.

Also, with an affirmative
recommendation.

Bill No. 2057

A Resolution entitled, "Resolution
authorizing and directing the
Director of the Department of
Personnel & Civil Service
Commission to conduct a Police
Recruit Examination in the first
quarter of 1994 with the purpose
being to create a new list to be
used in 1994 for replacement of
retiring officers.

---(SPONSORED BY MR. ONORATO)
(AS AMENDED IN COMMITTEE)

Which was read.

Mr. Ferlo:

I'd like my comments brought
forward on Bill 2057 regarding the
notion of ordering the Personnel
and Civil Service Commission to
conduct yet another round of test
for early 1994. I didn't support
this bill and I'd like my comments
brought forward.

Mr. Onorato:

I'd like my comments brought
forward also.

Mr. Darkins:

Please bring my comments
forward too.

Mr. Cohen:

I would like my comments
brought forward as well, please.

(REMARKS ON FOLLOWING PAGES)

(MESSRS. COHEN, DARKINS, FERLO AND ONORATO'S COMMENTS)
(Bill Nos 2057 - Wednesday, March 24, 1993)

Mr. Onorato:

Mr. Chairman, yesterday we had a post agenda relating to this bill and relating to the police hiring, both with the issues of the pre-test notices that were sent out and also individuals that might not have taken the second test because they thought they were on an existing list that expired.

At the post agenda we were informed that the city will give another test early in '94 and create a new list because of the number of individuals that are being hired, 250 in '93, and then a new list will be established in '94 that will be in place for the 400 or so retirements taking place.

(Deleted text.)

Mr. Onorato:

Technically, there is probably not a need for it, but by having the legislation passed at least we are on record of saying that we know that a test should be given in '94 and that in '94 anyone that was not on the list that was just given last month knows that it is coming up in a matter of 12 months, really less than 12 months. So it puts us on record to say we want a test in '94, to keep the test updated and give everyone a chance to be on the list. Right now, if you are not on the list, you are totally off and there is no test to be given.

(Deleted text.)

Mr. Onorato:

We will have a new Administration in '94 and there will be a change of individuals that were sitting here yesterday at the post agenda.

Mr. Ferlo:

Well, if we are actually going to move on this bill, which I didn't think that we were going to be doing that, I would like an opportunity to talk with Personnel and Civil Service about the bill.

Mr. Onorato:

Mr. Chairman, we had a post agenda yesterday at the request of my colleagues. I realize a lot of individuals didn't make it; however, I thought that is what the post agenda was for, to clarify this particular bill. We had a post agenda just on this bill.

Mr. Cohen:

You are correct, Mr. Onorato, but any Councilmember does have the right to call a director if he or she wants to.

Mr. Ferlo, I assume you still want to do that. Is Melanie Smith in the audience?

Mr. Ferlo:

I don't want to be a bad guy because I want to ask the Director a question.

Mr. Cohen:

Everyone has the right to ask a question.

What I suggest we do is we hold it until the end of the meeting, perhaps, and we try to get hold of Melanie Smith. Mr. Perry, if we can get hold of her.

Mr. Darkins:

Mr. Chairman, I would like to apologize to Councilman Onorato for my absence, but you know as me being a Minister, I had funeral services and couldn't stay for your post agenda. I am saying this publicly because I want it known.

Anything that I can do I would be more than gracious to work with you because you come from the mighty North Side.

(Deleted text.)

Mr. Onorato:

Director, I was giving my colleagues a summary of yesterday's meeting and some have a few questions about our discussion of a new test given in early '94 at some date and creating a whole new list because of the number of hires from the test you just gave plus the retirements coming up in '94 and '95. But I stated that. My colleagues have some questions.

Would you mind if we repeat some of the things we said yesterday at that point?

(Deleted text.)

Mr. Ferlo:

I want to understand what we are doing here, because it just seems like we are compounding a problem with another problem.

Originally when the Federal Judge set aside the old hiring system, there was an existing list that was available to the Commission for police hiring. I believe it had 3,000 folks on it, of which a significant number were city residents.

Ms. Smith:

Actually, only about half were city residents.

Mr. Ferlo:

You know the state law that changed allowed people to apply for the position to be domiciled only at the point which they became hirees. So that list, what happened to that list up until the time of the recent second testing, I mean the recent testing a few weeks ago?

Ms. Smith:

That list, those four lists, were merged into one list, and we refer to that now as "the merged list." Because that list was the product of continuous recruitment, significant numbers of people have been dropped from that list over time, because their three year maximum period of eligibility expired. But we have hired -- the class that went into the academy in February of 50 people was from that merged list and they expect to hire two more classes from that list before it reaches its maximum eligibility.

Mr. Ferlo:

Okay. So what are you calling the second test, this recent hoopla test.

Ms. Smith:

Actually that is police officer first year. Those are not recruits, those are experienced officers.

Mr. Ferlo:

We will call it "Test 2" for the sake of discussion.

Mr. O'Connor:

Hoopla 1 and 2.

Mr. Ferlo:

The hoopla test 2 list, based on after the testing is -- I believe we spent what, \$100,000.00 conducting this test, \$60,000.00?

Ms. Smith:

We had 70,000 for a consultant to help us develop it.

Mr. Ferlo:

We have already invested a lot of money getting Test 2 done. When that scoring happens in the next few weeks, how does that relate to the so-called previous merged list scores?

Ms. Smith:

I was confused on Hoopla 2. The second new recruit, we have given the written test, we have however many passed the written exam, let me say it might be 1,700 people passed the written exam, 1,500 people, they all have to have the oral exam. That will take a while. Then the merged list, we keep hiring from the merged list, which is a valid list right now, keeps happening. We expect a class in mid-May to late May, mid-June to late June, so that list will, we believe, be used up. The new list, which we are calling Hoopla 2 for new recruits, will be posted --

Mr. Ferlo:

You don't merge the two?

Ms. Smith:

No.

Mr. Ferlo:

You just continue hiring off the original merged list?

Ms. Smith:

Yes.

Mr. Ferlo:

At what point do you decide that you will go to the to the hiring off of Test 2 list?

Ms. Smith:

Probably the fall of this year.

Mr. Ferlo:

So setting a side issues of race and gender, if I am an individual that is on the merged list, what happens to me at the point in which -- and I have a higher score than somebody who is on Test 2 -- what happens to me? Will I go off in the twilight zone or do I maintain some ability for employment consideration?

Ms. Smith:

This left-handed person will either have been processed for hiring and had their opportunity, or they will reach their maximum three years of eligibility and no longer be appointable from that list.

Mr. Ferlo:

Through no fault of their own now, all the sudden there is now another list. People who were on the original merged list didn't necessarily know and didn't necessarily take --

Ms. Smith:

Oh, yes, they did, because we sent them recruitment announcements.

Mr. Ferlo:

Now let's move to Test 2, because

Mr. Onorato and you are now talking about yet another test, another \$70,000.00 expenditure in '94. What happens if, setting aside race and gender, someone is on Test 2, they are within the 400 range, 1 through 400 potential recruits. What happens now if you do yet another test and arbitrarily say that now instead of three years, this second test that we spent all this money, people made a good faith effort to be on, now all the sudden you are curtailing the life and viability of that employment list.

Ms. Smith:

We actually expect to use it up.

Mr. Ferlo:

How do you know that?

Ms. Smith:

This is very similar to what we do with firefighter. The firefighter list that is currently up will expire in July of next year. I will begin recruitment for firefighter late this year for a written test, let me say early spring, the performance exam late spring, early summer.

Mr. Ferlo:

They are already supposed to be in the recruit class, by the way.

Ms. Smith:

It is the same situation. You have a list that is approaching its maximum limitation and you have a need to have a new list ready to put up as soon as it was finished.

Mr. Ferlo:

What I am saying is after all this effort to Test 2, to finally come up with yet another couple thousand names, the life of that is going to be longer, extend longer, than '93. I am having a problem having Council impose --

Ms. Smith:

We are talking '94, that it would probably be late '94 when the test, what we are calling test --

Mr. Ricciardi:

We are calling Mr. Onorato's Test 3.

Ms. Smith:

-- Test 3 which would be given in '94 will produce a list that we expect we will need to use by late '94.

Mr. Ferlo:

That is well and good, but that should be something that administratively you figure out.

I understand and I appreciate the impetus that led Mr. Onorato to introduce this bill. I am uncomfortable, however I feel about the issue of who received the notices about some advanced testing educationals, I am uncomfortable arbitrarily saying right now before we even know what the life of that list will be in terms of its viability, that we are already going to declare that you have to do that in '94. I don't know that. What I am worried about -- and I sympathize with the intent of Mr. Onorato's bill, but I have not been happy all along in terms of this whole hiring procedure with the original merged list, the whole veteran fiasco, Test 2. Now we are going to say after all this effort, we are only going to give it a life span of a year and now we will go to yet another third test. I want to know what is fair to that individual -- again regardless of race or gender -- those folks who made all that effort that are going to be on that Test 2 finally, are they going to be arbitrarily aborted in terms of a year long?

Ms. Smith:

No.

Mr. Ferlo:

Why not? Explain that to me. That is my concern.

Ms. Smith:

I don't know how better to explain it, and I recognize that is my fault. But we expect to use up that list and need a new one by late '94, and to have one ready by later '94.

Mr. Ferlo:

You are telling me on the test results for Test 2, you are going to have a larger volume of potential applicants than what we can fill by way of recruiting? Is that what you are telling me?

(Deleted text.)

Mr. Ferlo:

Let me ask it in a different way, because I don't know the numbers.

Let's say there are 500 qualified applicants on that Test 2 that become -- again, this is a rating, they are listed including appreciation of veterans' preference points. There is actually a mass list. If I am a 500 on that list and yet through the next year and a half -- again, we are talking about a track record of the Administration that has been slow in terms hiring. We have memo after memo from Director Turner and Director DiNardo about making commitments to this Council on when people will be hired both on the police and the fire side, and we have yet to see some of this be realized. So you already haven't sustained your deadlines that you committed to this Council.

Ms. Smith:

I disagree with that. I think we have met those deadlines and are continuing to meet them.

Mr. Ferlo:

I will show you a memo that says all these police forces, a full compliment will be on by March, which is now March, a full compliment. I don't see that. I will show you the memo from Director Turner.

If I am 500 on that list and you have hired 320 and yet it reaches now the time in which it is '94, now are you just going to arbitrarily throw that out the window?

Ms. Smith:

No.

Mr. Ferlo:

Explain it to me, please.

Ms. Smith:

I think I already have, with all due respect. If we do not use it up, we won't put the new list up.

Mr. Ferlo:

That is why I have a problem voting for this resolution.

Ms. Smith:

First of all, it is the Commission who makes this decision. It is not -- this is under the state statute that it is the Commission's responsibility to make these determinations.

Mr. Ferlo:

Which is what I said all along. Instead of playing politics with Mr. Onorato on this issue, are we doing something we have some input in or is this something you are going to do anyways, based on your prerogatives in the Commission?

Because I don't want to vote on something -- I do respect why this was introduced by Mr. Onorato. I don't want to vote for it. If I am the 500 person on that list, I want to wait until the very end of that three year period for a shot of becoming a police officer without the whole thing being yet thrown out the window again, only to learn I have to yet go back through the hiring procedure. Maybe I am wrong on this and I don't understand the procedure, and I will accept that. But my understanding is if I am 500 on the list and you have only completed hiring of 320 in three or four classes, I want to stay on that list until the 11th hour, the 12th hour and be given an opportunity at a shot at becoming a police officer and not have, all the sudden, this '94 constraint that Mr. Onorato is proposing come in and it goes out the window, and now I am back out. Because conceivably, a person could have been the merged list, could have taken the test again for Test 2, never made it to the top, and yet now we are going to impose Test 3 on them.

Mr. Onorato:

Since he is addressing all of this to my bill, can I respond instead of the Director?

Mr. Ferlo, I appreciate all your comments here, but it is

unfortunate the perception you are giving to the audience out there, that my bill is putting in an arbitrary constraint. Let's don't forget why my bill was brought up.

I have friends and people that have called that are on the merged list saying they are being cut-off because this new list was given. With all due respect to the Director, there are some people that received a notice they were being processed, but for some reason the processing stopped for them, they didn't take the new test, now they are not on either list. So they don't even have a chance. If we don't give another test in '94, if you are not on the list, you don't even have a shot at becoming a police officer in the City of Pittsburgh. If you a young male or female coming out of high school in 1993, graduating in 1993, too bad; we are not giving a test.

We used to give continuous testing in this city so every class -- you were always updating it and always getting the best and always having new people come on. If you want to sit with a test and let it last for five years until there are 500 people on it, that is fine with me and I will table the bill. But I want to make it clear today this came up for two reasons: One, there was a notice given to a specific group for pre-testing which I think was wrong and I stated it several times; and two, there are people on the merged list that did not take the new test for whatever reason of a notice problem and now they are not on either list. Those people do not have a chance to be hired. I think it is unfortunate.

If you want to sit with this test that was given, that is fine with me, but I am going on record saying I think it was wrong. And we are eliminating a lot of potential police officers that are good individuals that will never have a at being a police officer in this town if we don't give another test in '94.

Mr. Ferlo:

First of all, I believe it is three year period, not five years in terms of the life of the list.

Ms. Smith:

That is the maximum time.

Mr. Onorato:

I didn't say five years. I said if we don't give a test in '94, the person on the list of the test given back in '89 and '90 missed this test. They won't get a chance. If we count three more years from this test -- '94, '95, '96 -- they might be off this for four or five years because they were on the old list, the merged list, because they missed this test. So it might be longer than five years.

Mr. Ferlo:

My concern is this: When this originally was set aside, the hiring procedure, we should have gone right to the existing Civil Service list, which we are referring to as the merged list, and we should have started hiring, period.

Mr. Onorato:

I agree. It is a different issue

Mr. Ferlo:

We didn't do that. I feel we keep compounding the problem each time we do something and conduct yet another testing procedure, where people are languished away on these lists hoping for the opportunity at some point to move up on the consideration list, regardless of race and gender. We keep providing these lists. Now we went to all this effort for Test 2, we are going to have 2,300 or 3,000 potential applicants that are going to be graded in that pool of potential applicants, and now that is going to be thrown out at some point now that the proposal is here at the end of '93 going into '94. I am concerned about the individual that is stuck on these lists and never is given an opportunity to rise to the top for consideration in the applicant pool.

Mr. Onorato:

Let me end by saying if we don't give the test in '94, I think it should be pointed out that I would rather give a new test and take an individual in '94 that is high on the list than take the individual that is number 500 on this list. Obviously, we give a test for the reason; we want quality officers. If you are No. 500 under 500, maybe we should be taking a new test and try to get the best the city can offer. Everyone in the city is not on that list and didn't take that test. We should somehow have a test given every year or two years so we are constantly bringing in new, quality individuals, and we are not doing that.

Mr. Ferlo:

Let me close by saying my concern is we shouldn't impose this -- if there is a specific problem regarding the manner in which the test was done, we should do something about it and address that. I don't think it is appropriate to impose arbitrarily and beforehand the death of this list, Test 2, before we know what it produces and how long it should remain viable. That should be something based on pulling numbers off it until you exhaust it; it shouldn't be something set by a clock. It should be something objective based on test results and how we go through the list.

Mr. Cohen:

Okay. Let's have other people speak, and then we are going to close the matter.

(Deleted text.)

Mr. Cohen:

Michelle, I want some order here. I question, first of all, whether we have the authority to do this. I do think we can pass a resolution that involves the sense of Council, it will be a sense of Council resolution. But also, we are talking about a list in 1994. We have a new Administration that is going to be coming in 1994. The fact of the matter is although we can pass something that involves the sense of Council, I don't think it is going to have legislative effect. If Councilman Onorato wants to do that, to give the sense of Council to the Mayor, then that is fine. But I don't think we should engage in another hour's worth of discussion here unless Council wishes to do that.

Mr. Onorato:

Mr. Chairman, point of order, obviously this isn't going to pass, so I will make a motion to table, but I just want to make it clear that there is a merged list that people were on that were 500 or 600 that are not on the new list because they didn't take it. This has been happening all the time, and there is a group of individuals out there that aren't on any list, and we will keep the status quo the way it is. It isn't like I am trying to go after the 400 or 500 person at the bottom.

(Deleted text.)

Mr. Onorato:

I will remove the motion to table and we will vote it up or down.

But let me end one with one positive note, and that Mr. Ricciardi says people came in here with good faith efforts and their pencils. That is true with the merged list, too, and those individuals now are bumped.

Everyone comes in with good faith and everyone gets bumped if we don't get proper notices. There are a lot of individuals that did not take the new test, are not on either list. We have to be fair to everyone. A new test only guarantees that more people have a shot at becoming a police officers. That is not hurting anyone.

(End of remarks.)

(Transcribed by Helen L. Kriebel, Stenotype Reporter)

Mr. Ferlo:

It amounts basically to a political placebo. This bill doesn't do anything. It has no effect. We don't have the power to order the Commission to do anything. I wish that we did because often times I've had major reservations and concerns about the bias of the Personnel and Civil Service Commission and I would hope that at some point we can amend it through the State Legislature, the actions and the powers of the Commission.

But I think it's the wrong message to send I've continually raised questions about the police hiring and I think this issue here compounds two previous issues in terms of the creation of lists, the original merge list, the second list regarding the recent testing that was done, and now a proposal here to do yet a third list.

I would prefer that we exhaust whatever current list we have so that no matter who is on the list be it the 500th person, if that person, he, she, Black or White has an opportunity to become a police officer, we should give them that shot and not arbitrarily curtail or kill that list which is proposed under Bill 2057.

So, I would urge my colleagues to vote no on this bill.

Mr. Onorato:

I would just like to clarify that this bill says nothing about killing an existing list. The merge list, it should be noted that it automatically expires at the end of this month by State law. We have no control over that. The new test that was given last month can last three years or

we can have it last a shorter period of time, depending on how many we hire from there. We can use the entire list and still give a new exam and create a new list for future hires. In no way does this list say that we should cut off the test that was just given. This was just to give the people that were off both lists a chance to get back on to become an officer who currently are not on any list, and individuals who had a question about the way the pretesting was given would have another shot.

Saying that, and my comments brought forward, I'm ready to vote on the bill.

Mr. Darkins:

I would have to say that I give great courage to my colleague, Mr. Onorato, for his presentation in regards to his bill.

I don't think that we're here to satisfy any certain groups within the City of Pittsburgh. I think that we should be here in regards to what has already been proposed and today I think that it should be well made known, and I hope the media is picking it up today that I'm going to vote against this particular legislation.

Mr. Cohen:

Mr. President, on Bill 2057 regarding Mr. Onorato's police recruit bill. I agree with Councilman Ferlo and Councilman Darkins about the fact that this doesn't have legal authority. I think that's true. But, at the same time, I don't have a problem with us giving a sense of Council, more or less an advisory resolution, that doesn't have

specific legal effects but, at the same time, gives a sense of Council.

The Chair:

Is there any further discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. Onorato
Michelle Madoff	Mr. Wagner (Pres't)

AYES 4 NOES 4

VOTING NO:

Mr. Darkins	Mr. O'Connor
Mr. Ferlo	Mr. Ricciardi

And a majority of the votes of Council not being in the affirmative, the bill was defeated.

Also,

Bill No. 2108

A Resolution entitled, "Resolution providing for the issuance of a \$1,622.44 warrant in favor of McCabe Brothers in settlement of claim for automobile damage."

Which was read.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?:"

The Ayes and Noes were taken agreeably to law and were:

Ayes:

Mr. Cohen	Mr. O'Connor
Mr. Darkins	Mr. Onorato
Mr. Ferlo	Mr. Ricciardi
Michelle Madoff	Mr. Wagner (Pres't)

AYES 8 NOES none

And there being two-thirds of the votes of Council in the affirmative, the bill passed finally.

Also,

Bill No. 2109

A Resolution entitled, "Resolution providing for the issuance of a \$1,577.29 warrant in favor of American Rent A Ride in settlement of claim for automobile damage."

Which was read.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?:"

The ayes and noes were taken agreeably to law, and were

Ayes:

Mr. Cohen	Mr. O'Connor
Mr. Darkins	Mr. Onorato
Mr. Ferlo	Mr. Wagner (Pres't)

AYES 6 NOES 2

(MICHELLE MADOFF AND MR. RICCIARDI
VOTING NO)

And there being two-thirds of the votes of Council in the affirmative, the bill passed finally.

Also, Bill No. 2110

A Resolution entitled, "Resolution providing for the issuance of a \$835.05 warrant in favor of American Rent A Ride in settlement of claim for automobile damage."

Which was read.

Michelle Madoff:

I'm not voting against Bill 2110 because that's the one where we got hit and we're going to eventually collect. So it's not something that we are paying the damages for.

The Chair:

Is there any further discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. O'Connor
Mr. Darkins	Mr. Onorato
Mr. Ferlo	Mr. Ricciardi
Michelle Madoff	Mr. Wagner
	(Pres't)

AYES 8

NOES None

And there being two thirds of the votes of Council in the affirmative, the bill passed finally.

Also,

Bill No. 2111

A Resolution entitled, "Resolution providing for the issuance of a \$813.66 warrant in favor of American Rent A Ride in settlement of claims for automobile damage."

Which was read.

Michelle Madoff:

Mr. President, Members of Council, and whoever is in the audience, I apologize for running around like a chicken with its head cut off but, as usual, as you know, when we get information it's always given to us at the last minute and we don't get information in a timely fashion so you get it as Council is starting and sometimes you need to clarify the information you get.

I'm addressing now all the bills on the American Rent A Ride and the dollars to them and I'd like to share some information.

I had asked for information, as you know, at the last meeting, even though the bill had passed, to give us the dollar figure of what had been spent. So, let me share with my colleagues.

In 1991, the City of Pittsburgh spent a total of \$91,000.

The Chair:

Councilwoman Madoff, you have the floor and I will run the meeting.

Michelle Madoff:

That's what I'm asking you to do, Sir. I'm asking you to run

the meeting fairly and justly and not depending on gender.

The Chair:

Unless you speak on the issue, we are going to move on.

Michelle Madoff:

In 1991, American Rent A Ride received from the City of Pittsburgh \$91,000 in fees for rentals. In 1992, it was \$83,000. In 1990, the City of Pittsburgh paid claims \$2,291 for our rentals. In 1991, it was \$8,960 and in 1992, it was \$15,800. It comes to approximately \$200,000.

That gets back to my issue of we have a Leasing Authority and I have maintained that a three year old car can be used by a Department head or an administrator that has been maintained while their car is out of operation.

In many instances I believe even our Public Safety Department could use them. I understand there are times on drug busts that you want to have cars that are not identifiable. We do have a paint shop. We can, when we buy cars, keeping in mind that we want to keep an assortment of cars, purchase on that basis. But to put out \$200,000 just in two years is unconscionable for this kind of activity.

As you know, it all came to my attention I think it was the year before the numbers we have here, it was the previous year. If memory serves me well, it was probably back in '89 or maybe '87, we had our youth unsupervised using rented cars and the literally, physically, took the

doors off the car, painted the car, duped paint all over it, complete vandalism. And, of course, the City

ended up paying the damages because we're self insured.

Since then I started to look at this problem and I tried to raise consciousness and I tried to get my colleagues to take a look at this.

I don't know who serves on the Leasing Authority from Council. But, in any event, I think this is something we should be looking at. A billion here or a trillion there, pretty soon it adds up to real money. We're not talking about gigantic money when we talk about federal spending, but when we talk about \$200,000 we're talking about substantive dollars.

I also spoke to Brother Richard and I agree with him. We are never going to get it down to zero and I told Brother Richard that this is not any attack on him. This is something I raised long before he took over General Services. And while he is going through all the other problems in General Services, this probably was not very high on his priorities but I would appreciate his taking a look at it. But nothing will happen because it must happen from any Administrative point of view. A Mayor has to say this is inane, therefore don't do it. It's got to be an executive order. It's got to be looked at and I would suggest that we could probably cut it back by at least \$100,000.

I think that's very important before we vote on these two bills.

The cost of renting,

incidentally, automobiles you might find fascinating too. My aide tells me he rents cars from time to time and that the prices that we pay are top of the line. Maybe we ought to be buying or renting them with insurance,. That may be cheaper than paying the cost of the insurance or maybe the claims for last year were \$16,000. I think it would be cheaper to insure ourselves.

I don't know how business is done with any regard to what is being spent. It is outrageous and I would urge my colleagues to think twice before you vote and keep voting for American Rent A Ride because now the public knows t h e kind of dollars and they know that we're not watching the store. So I ask you to watch the store and not vote for those bills.

The Chair:

Is there any further discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. O'Connor
Mr. Darkins	Mr. Onorato
Mr. Ferlo	Mr. Wagner
	(Pres't)

AYES: 6 NOES: 2

(MICHELLE MADOFF AND MR. RICCIARDI VOTING NO)

And there being two-thirds of the votes of Council in the affirmative, the bill passed finally.

Also,

Bill No. 2112

A Resolution entitled, "Resolution providing for the issuance of a warrant in favor of Title Searching Services in the amount of \$1,150.00 in payment of title searches performed for the Real Estate Division of the Finance Department."

Which was read.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. O'Connor
Mr. Darkins	Mr. Onorato
Mr. Ferlo	Mr. Ricciardi
Michelle Madoff	Mr. Wagner
	(Pres't)

AYES: 8 NOES: None

And there being two-thirds of the votes of Council in the affirmative, the bill passed finally.

Also,

Bill No. 2113

A Resolution entitled, "Resolution authorizing the transfer of seventy six thousand nine hundred five dollars and forty six cents (\$76,905.46) from various JTPA Trust Funds, Index Codes to the JTPA-1 Trust Fund, Index Code 260307."

Which was read.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. O'Connor
Mr. Darkins	Mr. Onorato
Mr. Ferlo	Mr. Wagner
Michelle Madoff	(Pres't)

AYES: 8 NOES: None

(MR. RICCIARDI ABSTAINING)

And there being two-thirds of the votes of Council in the affirmative, the bill passed finally.

Also,

Bill No. 2114

A Resolution entitled, "Resolution providing for the filing of a petition or petitions for the sale of certain property or properties, acquired at tax sales in accordance with Act No. 171 of 1984, entitled, 'Second Class City Treasurer Sale and Collection Act', effective December 11, 1984."

Which was read.

Also,

Bill No. 2115

A Resolution entitled, "Resolution providing for conveyance by the City of Pittsburgh of certain

property, under Act 171 of 1984, entitled, 'Second Class City Treasurer Sale and Collection Act', effective December 11, 1984."

Which was read.

Also,

Bill No. 2128

A Resolution entitled, "Resolution providing for an Agreement or Agreements with the Walter H. Drane Company for professional services in connection with the preparation and printing of supplements to the Pittsburgh Code."

(SPONSORED BY BY WAGNER)

Which was Read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. O'Connor
Mr. Darkins	Mr. Onorato
Mr. Ferlo	Mr. Ricciardi
Michelle Madoff	Mr. Wagner

(Pres't)

AYES: 8 NOES: None

And there being two-thirds of the votes of Council in the affirmative, the bill passed finally.

Mr. Darkins presented

Bill No. 2197

Report of the Committee on Public Works for March 24, 1993 transmitting sundry resolutions to Council.

Which was read, received and filed also, with an affirmative recommendation,

Bill No. 2116

A Resolution entitled, "Resolution amending Section 1 of Resolution No. 857, approved September 24, 1982, effective October 8, 1982, entitled, 'Granting unto Joseph A. Meyers, his successors and assigns, the privilege and license to continue to maintain and use at his own cost and expense, a garage at the rear of his home at 1711 Fairacres Avenue, encroaching on Longmore Avenue in the 19th Ward of the City of Pittsburgh." Which was read.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. O'Connor
Mr. Darkins	Mr. Onorato
Mr. Ferlo	Mr. Ricciardi
Michelle Madoff	Mr. Wagner
	(Pres't)

AYES: 8

NOES: None

And there being two-thirds of the votes of Council in the affirmative, the bill passed finally.

Also,

Bill No. 2117

A Resolution entitled, "Resolution providing for an Agreement or Agreements, or use of existing Agreements, between the City of Pittsburgh and the Roman Catholic Diocese of Pittsburgh, Successor trustee for the Roman Catholic Congregation of Prince of Peace Church, for the use of Loretto Cemetery as a clean fill site for which the City of Pittsburgh agrees to pay a yearly fee of \$1.00."

Which was read.

Mr. Ricciardi:

On Bill No. 2117, we did discuss that in depth but I would just like to make it a matter of record and for my colleagues to realize that the Director of Public Works did state that we would save \$100,000 in taxpayers' money by bringing the clean fill to Loretto Cemetery in the South Side of Pittsburgh.

Let me also state, not included in that \$100,000 was number one, transportation cost, gasoline, wear and tear on the vehicles and also eliminating the possibility of accidents because, obviously, we would be leaving the City of Pittsburgh.

At the same time, realizing that savings, we are helping neighbors, neighbors in the City of Pittsburgh, by filling up a cavern where illegal dumping is occurring.

So, hopefully we're eliminating illegal dumping but also saving the taxpayers money.

Mr. Darkins:

Mr. President, I would also like to bring to the attention of my colleagues on Council that this is one time when Church and State is playing a great part in the City of Pittsburgh.
The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. Onorato
Mr. Darkins	Mr. Ricciardi
Michelle Madoff	Mr. Wagner
Mr. O'Connor	(Pres't)

AYES: 7 NOES: None

(MR. FERLO ABSTAINING)

And there being two-thirds of the votes of Council in the affirmative, the bill passed finally.

Also,

Bill No. 2118

A Resolution entitled, "Resolution providing for a contract or contracts, or use of existing contracts for flexible beam guiderails at various locations within the City of Pittsburgh and providing for the payment of the cost thereof."

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were: Ayes:

Mr. Cohen	Mr. O'Connor
Mr. Darkins	Mr. Onorato
Mr. Ferlo	Mr. Ricciardi
Michelle Madoff	Mr. Wagner
	(Pres't)

AYES: 8 NOES: None

And there being two-thirds of the votes of Council in the affirmative, the bill passed finally.

Mr. Ferlo presented

Bill No. 2198

Report of the Committee on Planning, Housing and Development for March 24, 1993 transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 1978

A Resolution entitled, "Resolution approving a Conditional Use Exception under Section 993.01(a)A(8)&(26) of the Pittsburgh Code, Title Nine, Zoning, Article V, Chapter 993, to Allegheny General Hospital located at 320 East North Avenue for authorization to construct a two-story addition above the existing two-story Northwest Wing/Emergency Department and a three-level parking facility that includes a relocated helicopter landing area on property zoned 'I-M' Institutional-Medical District, 22nd Ward."

Which was read.

Mr. Onorato:

I'd like to comment on Bill 1978 which is in Mr. Ferlo's committee. That's the Allegheny General Hospital Bill.

The community group and the hospital have come to an agreement. Because of the logistics of signing, the agreement was agreed upon yesterday. We don't have a signed agreement so I will ask to recommit.

I just want to make it clear, in no way is this delaying the action. This is just so that we have time to sign up. It's a good agreement and both sides are happy with it at this point. So I'll recommit just so that we could have a signed agreement and everyone would have time to review it on this Council, too.

Mr. Ricciardi seconded the motion.

WHICH MOTION PREVAILED.

Also, Bill No. 2120

A Resolution entitled, "Resolution approving a Conditional Use Exception under Section 993.01(a)A(7) of the Pittsburgh Code, Title Nine, Zoning, Article V, Chapter 993, to Allegheny County for authorization to construct a two-story, 31'8" by 47'4" extension to the existing work release facility located at 3342 Fifth Avenue, with parking accommodate two automobiles, on property zoned 'C4' Commercial District, 4th Ward."

Which was read.

Also,
Bill No. 2121

A Resolution entitled, "Resolution authorizing a Ninth Amendatory Herr's Island Cooperation Agreement with the Urban Redevelopment Authority of Pittsburgh (URA), providing for the conveyance of URA Disposition Parcel 8 and its improvements, maintenance by URA of the public park and indemnification and defense of URA by the City."

Which was read.

Also,

Bill No. 2122

A Resolution entitled, "Resolution authorizing the Urban Redevelopment Authority of Pittsburgh to acquire all of the City's right, title and interest, if any, in and to publicly-owned property in the City of Pittsburgh under Residential Land Reserve Fund."

Which was read.

Also,

Bill No. 2123

A Resolution entitled, "Resolution authorizing the Urban Redevelopment Authority of Pittsburgh to acquire all of the City's right, title and interest, if any, in and to the publicly owned property in the 3rd Ward of the City of Pittsburgh designated in the Deed Registry Office of Allegheny County, as Block 11-F Lot 101, under the Residential Land Reserve Fund."

Which was read.

Also,

Bill No. 2124

A Resolution entitled, "Resolution approving execution of a Contract

for Disposition of Land by and between the Urban Redevelopment Authority of Pittsburgh and Central Hill Associates for the sale of Block 11-F Lot 101 in the 3rd Ward of the City of Pittsburgh (FRONT YARD)."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. O'Connor
Mr. Darkins	Mr. Onorato
Mr. Ferlo	Mr. Ricciardi
Michelle Madoff	Mr. Wagner
	(Pres't)

AYES: 8 NOES: None

And there being two-thirds of the votes of Council in the affirmative, the bill passed finally.

Also,

Bill No. 2125

A Resolution entitled, "Resolution approving execution of a Contract for Disposition of Land by and between the Urban Redevelopment Authority of Pittsburgh and Carnegie Mellon University for the sale of Parcel 2, Subdistrict 1 - West in the Fourth Ward of the City of Pittsburgh in Redevelopment Area No. 50 (Construction of Research Center)."

Which was read.

Mr. Cohen:

I'd like to move that we recommit Bill 2125 which involves CMU's facility at the Pittsburgh Technology Center.

As I said on Wednesday, I think this is a great project and it will bring certainly economic development to Pittsburgh and it will be a great asset to the Pittsburgh Technology Center, and I want to congratulate CMU and the URA for helping to bring it in. However, I am very concerned about the need for child care at that site.

As you recall, last year this Council passed a bill that requires any new development of 90,000 square feet or over to have a child care center in that development or within 2,500 feet of that development. Whether intentional or unintentional, the appearance here is of an attempt to circumvent that law by proposing a building that's 89,900 square feet. That's 100 square feet short.

Now, to give a conception of how much 100 square feet it, this desk is approximately 16 square feet. So we're talking about a space that is six times larger than this desk where Reverend Darkins and I are sitting. That is a very small space and I don't think that they should get away with getting around the child care requirements passed by this Council because of a space that's six times larger than this desk in a 90,000 square foot building.

The Director of the URA has sent a letter, and I provided copies to all Members of Council. It's dated March 26, and the

letter says that CMU has a child care facility on their main campus. That of course, is much more than 2,500 square feet away from the Pittsburgh Technology Center. And it says that the RIDC is currently examining the feasibility of providing a child care facility.

Personally, I don't think that that is a satisfactory answer because currently examining the feasibility doesn't mean that there's actually a commitment for child care on that site. It may be that this project doesn't technically fall within the law because it's 100 feet short, but City Council is a policy body, we are not a court room, and we have a policy responsibility too and we set a policy last year regarding child day care.

The URA is asking us here to approve a transfer of a large parcel or property, and I think we have every right to question whether they're going to use a very, very small part of that property for quality child day care.

So my motion is to recommit this bill and I have a meeting with the Vice President of CMU, Pat Keating, at 4:15 today. I would appreciate Council's indulgence to recommit this bill so that we can attempt to get a commitment from CMU on child day care.

Mr. Darkins seconded the motion.

Mr. Ferlo:

Discussion. First of all, I think Mr. Cohen has raised a very good point about this bill that hadn't been considered and I do find it interesting that, coincidentally, it's 100 square

feet short thereby not making it come under the existing child care ordinance that we passed.

I really don't think it's good faith on the part of the University. We have invested close to \$28 million at the Second Avenue site and this disposition agreement which amounts basically to a contractual agreement between the University and the City of Pittsburgh through the URA. Basically, we're transferring this property for all of \$1. Now it's true that at some point we will begin to seek some benefit in return and, obviously, I don't think that Council wants to slow down or impede the progress of this development. But I do think that Mr. Cohen has raised a valid point and where we can't go back readily and change the code lowering at 100 square feet, we do in effect have the ability to amend this disposition agreement that is actually before us in a form of a resolution.

So, I hope that through the discussion that Mr. Cohen will have and with the support of this Council that we can impress upon the University that in effect they're circumventing what we wanted to be good public policy.

So, I would strongly urge that we make mention of that in terms of the fact that this is a contractual disposition agreement.

The Chair:

Mr. Cohen, you are meeting today with Mr. Keating so you'll be able to report to us tomorrow when this comes back into Committee?

Mr. Cohen:

That's correct.

Michelle Madoff:

Same subject. May I have permission to address my colleague?

The Chair:

Sure.

Michelle Madoff:

Mr. Cohen, in your conversation with the Vice President and setting up the meeting, you obviously explained what you wanted to talk about. Was there any indication from them that they felt that they were doing or would be expanding their child care program and that they already had something in place? Everybody knows that CMU has been the leader forever in having advanced child care programs. So, you, yourself questioned why would they do this. And I think it's unfortunate that we would leaving saying you were holding it because perhaps they're just coming in at X number of feet short and therefore they're trying to circumvent the system.

I just wondered whether, in your conversation, there was any indication and I think that's terribly important to put on the record at this point.

The Chair:

If I could interrupt here. I know we're going to have extensive discussion--

Michelle Madoff:

I don't want a discussion. I just want to know whether there was indication.

The Chair:

Let me ask this. Could others sit in on the meeting that you're having, Councilman Cohen?

Mr. Cohen:

Absolutely. Thank you for raising that. It's at 4:15 today at CMU in Mr. Pat Keating's Office, the Vice President of CMU. Anybody who would like to come is more than welcome. I haven't told Mr. Keating that but he would have to agree to that. So, you're more than welcome to come.

Michelle Madoff:

Would you answer my question, please?

Mr. Cohen:

They haven't made a commitment, Michelle.

Michelle Madoff:

I didn't ask for a commitment. Did you get a sense that they thought it was important to have child day care and would be providing care for people working there, or that it was too early to do it yet or within their plans to do it? Did you get any sense?

Mr. Cohen:

A very, very general sense. They do have a day care center at their Margaret Morrison building. It, frankly, is not the greatest facility. It's in the basement and they have some problems there and I think that they are at capacity now. So we don't yet have a commitment for them to expand that facility and hopefully we'll be able to get one.

Michelle Madoff:

My point was that my sense is that you will get it. They're a very responsible enterprise. They are in the forefront of having child care centers. And I think rather than even implying that they are the kind of entity that would try to circumvent, I would like to withhold that judgment until all the evidence is in.

Mr. Cohen:

I agree. I haven't made a judgment about CMU and day care, so let's recommit it.

The Chair:

All in favor? Opposed?

WHICH MOTION PREVAILED.

Mr. O'Connor presented

Bill No. 2199

Report of the Committee on General Services for March 24, 1993 transmitting two resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 2126

A Resolution entitled, "resolution authorizing the Mayor and the Director of Department of General Services to enter into an Agreement with the Commonwealth of Pennsylvania, Bureau of Blindness and Visual Services to provide feed service in the Public Safety Building."

Which was read.

Mr. Ferlo:

Mr. Wagner and Members of

Council, on Bill 2126, this in regards to an agreement between the City through the General Services Department and with the Commonwealth of Pennsylvania Bureau of Blind and Visual Services.

This is sort of the controversial issue regarding the so-called Jim Leary Snack Bar which, as many of us know, used to be in the old Public Safety Building. It moved over to Gateway view Plaza and hopefully, at some point, it will move back into the remodeled No. 1 Public Safety Building on Grant Street.

There was a lot of controversy around this issue and its still unclear whether or not we're ever actually going to see a return of the Jim Leary Snack Shop, which I was hoping to see happen. This bill, I was led to believe that everything was fine and that finally this is the light at the end of the tunnel with this bill. Unfortunately, that is not the case.

I sent a copy of this agreement to the gentleman. He had never really had an opportunity to review the wording. In fact, the State Bureau doesn't even know or hasn't even signed off on the agreement, and I would like to respectfully ask Mr. O'Connor if there would be any problem recommitting this to try to get some further clarification at the table on Wednesday just in terms of what actually is going to be happening.

I'm interested and being very supportive of the individual. As a vendor I believe he has done a good job. All the years I've been in and out of the Public Safety Building, not only the public but I know employees have benefited from the arrangement in the past.

I agree that the City is correct about issues regarding burning and smells and various kinds of cooking activity, and there might be other concerns that I think are legitimate concerns that the General Services Department has raised, but, again, a part of this whole effort was to try to assist the state agency that is charged with trying to provide entrepreneurial benefits to those who are blind and visually impaired.

I would like to know that we actually have a deal consummated here and I respectfully as Mr. O'Connor if we could recommit this bill.

Mr. O'Connor.

Motion to recommit.

Mr. Ferlo seconded the motion.

WHICH MOTION PREVAILED.

Also,

Bill No. 2127

A Resolution entitled, "Resolution providing for a Contract or Contracts or the use of existing Contract or Contracts or the use of existing Contract or Contracts to purchase Fire Hose for the Department of Public Safety, Bureau of Fire and providing for the payment thereof."

Which was read.

The Chair

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. O'Connor
Mr. Darkins	Mr. Onorato
Mr. Ferlo	Mr. Ricciardi
Michelle Madoff	Mr. Wagner
	(Pres't)

AYES 8

NOES none

And a majority of the votes of Council being in the affirmative, the bill passed finally.

MOTIONS AND RESOLUTIONS

Michelle Madoff:

Mr. President and Members of Council and the public at large and the media, if my colleagues have not heard yet, it is the political season. The hitman for the Mayor has struck again. Not only am I accused of stealing \$24.27 in stamps but now the Administration feels that I owe them an apology. Let me tell them what I owe them an apology for.

As you're all aware, the Mayor vetoed our study on bonds, negotiated versus competitive, and the bonds that have gone out. We, in Council, with the support of the President of Council, decided to do our own study because we wanted to to be informed. We wanted not to vote in a vacuum. And, as I repeatedly said, and Mr. Perry will substantiate because he can pull the records, the transcripts, I said that most of it is not in the City, it is basically in the Authorities.

My first indication of the difference between negotiated and competitive bidding was when I personally bought some Alcosan bonds and received 7.45 percent

interest and there was nothing in the United States, not only in Pennsylvania, over 7.2, and the difference was \$6 million over 30 years on a \$60 million that went to the underwriter. I thought that was really substantive dollars and we ought to take a real good look see.

This Council had Mr. Peterson in and, If I recall, my colleagues said, "Boy, was that great" and the audience was made up of a cross section of the community that was very concerned about bonds and said, boy was that great. We had in the audience people who issue bonds and said, boy, it's finally coming out and isn't that great.

So, I'm not going to bore you with the press release that the hitman, old Ben, has put out, but basically he feels I owe the Administration, the Mayor, an apology because they have been doing such a fine job and that they indeed are in keeping with the national average.

May I tell you that when you look at the national average, the way bonds are issued not only in Pittsburgh, not only in Allegheny County, not only in the State of Pennsylvania, but throughout the whole country is the same way. If anyone watched, I believe it was 20/20 or 60 Minutes, I'm not sure which, about Stevenson in Arkansas and getting all the underwritings that were issued when Mr. Clinton was the Governor, it has been a tradition, we take care of our friends.

Well the \$6 million take care of our friends is not acceptable. And I will tell you that because this Council has acted responsibly, because we are

watching the store, I believe that we got the best deal we've ever had in negotiated bonds, in addition to the fact that the economy is so bad that there's nothing out there to buy. But our role has been very significant. If we weren't watching, it would be business as usual.

Now, in the press release that was put out it said that Michelle Madoff was hiding this fact that the City was doing such a great job. Well, I want to tell you about this report that I'm hiding. If anybody would like to borrow it to read it, I'll make copies of it, you're welcome. I gave it to every Member of Council and, as a matter of fact, they sent us seven or eight or nine or ten copies for the colleagues. In the letter, as I just circulated to the media who was just called by Ben Hayllar to hear this terrible thing that I committed, that I was hiding this report. It says in this letter:

"As with any draft, the enclosed document should not be made available to the public. It is intended only for Pittsburgh City Council. Due to the nature of the material involved, it would be unfortunate if any conclusions were drawn prior to final completion and verification."

I tried to be responsible. I know that I've asked my colleagues if they've read this yet and the sense that I got is that we're all very busy but boy, is this going to be a wonderful tool for us to learn about bonds, not to vote in a vacuum. And the first packet which is the interim report really

just tells you the things you should know when we're voting on millions and millions millions and millions of taxpayers money. It teaches you, it educates you, and I can't believe that this itself isn't a worthwhile document.

The final report will come in and it may very well show that in many instances the negotiated are not off "the national average". But, I asked my colleagues and I asked the public, can you imagine the City of Pittsburgh going out on a construction bond or on buying materials without going to the lowest responsible bidder.

What I'm asking is that we go to the lowest responsible bidder when we award multi-million dollar bond contracts. If for no other reason we go competitively, then just for the appearance of impropriety.

In the private sector, you can have negotiated bonds because if Joe Block comes in and Dan Smith comes in, and Joe Blow is out of line but they'd rather do business with Dan Smith because they've had good relationships, they say you're out of line, let's renegotiate.

We don't have that privilege. We don't have the prerogative of renegotiating. We have to go by the law. And the State has a law that says you can go competitively but we continually go to negotiated. And when we find out, we don't even find out, but the last time we found out in the final paper when we go to vote and sign off he said, the Council has agreed to waive the competitive

and go to negotiated.

So, I think that not only would Councilmembers, not only would the Department Heads, not only would private sector if they want to borrow this but I think it is a phenomenal tool and I do want to thank Mr. Hayllar personally because I've been very worried about how we were going to pay the GFOA, the Government Finance Office Administration, because the Mayor had vetoed it. As you know, she's not paying for our warrant a n d I guess since he thinks its such a good report the Administration will sign the warrant and the GFOA will indeed be paid for their report.

I believe at some point in the near future there will be an outpouring from the underwriters and from the bond counsel, those who don't have a piece of the pie who are perhaps retired, who are not trying to get a piece of the pie, who will speak out and will say this is a horrendous, horrendous thing we do. And I'm also giving you again that example of the \$6 million and the bond that I bought. You know, if I was out for my personal gain I'd shut up and take the money. But I think it's important that while I buy it because it's good at the advice of my brokers, it is also important that I point out that this is the way I learned and that it's important that we change that process, that we don't give the taxpayers' money away needlessly. I would have bought the bond at 7.2 It's like airport bonds. At 8 percent, 8.5, people would buy them at 7.5 or at 7.4, what have you. And I think we're talking about such significant dollars

here that I am not backing off.

Ms. Mayor, I am not apologizing to you because I'm right. I know it in my gut. I know it in my conscience. I know it morally, ethically, and I'd like you to get a little sense of that because, Mayor, if I asked you the question, what's in this report that was hidden that Mr. Hayllar got, did you read it? Obviously not. And if you read it, do you understand it, because I'd love to debate you on basis points.

Mr. O'Connor

On a difference issue. I've got a lot of calls and talked to a lot of people about this personal property tax coming back into the picture again. As you know, it's a 4 mill tax levied on City residents, County and the School Board.

This tax was enacted in 1913 as a rich man's tax, before the working class had the savings and probably bought stock. And it was certainly intended in 1913, the State Legislator who initiated it then, it's certainly not serving the purpose now. A lot of retirees have investments, people who have children in college have investments, and they're being taxed unfairly.

Perhaps the most outrageous aspect of this tax is that the people of Pittsburgh are being taxed instead of 4 mills, 12 mills. We're being taxed by the County, the City and the School Board. So, we're paying three times what anyone else would pay.

Because we are so limited in our Legislators in Harrisburg, I

move that the City Clerk direct a letter to the leadership in both houses demanding to repeal this tax and to provide alternative tax strategies that are relevant to the present needs of the Pennsylvania metropolitan area. Basically, this tax is 80 years old and I think it's time that they have tax reform that's going to help the citizens of this City.

I also make a motion that we send a letter to the School Board hoping that they would repeal it too.

Mr. Cohen

Second for discussion. I share Councilman O'Connor's concerns and I'm glad that he raised this matter. I think there are serious problems with the personal property tax.

We have the ability, if we wish, to repeal that tax, we, as City Council, to repeal that portion of the tax that comes from the City. I believe that's 4 mills. The problem of course, is that it generates \$3.2 million and we would have to find a means of replacing that \$3.2 million.

I certainly agree with him that that tax is a vary serious problem and I'm hoping that, because of all the publicity around it, that we will be able to get revenues in excess of \$3.2 million so that we can lower the tax. That;s only a short-term problem.

The longer term solution as we've discussed several items, and every one of us here has discussed it, is to be able to get more regional funding for City services so that we can actually go ahead

and repeal that tax. Regional assets district is, I think, the major vehicle that most of us here support for that, but I think that if we really want to put our money where our mouth is so to speak, we should go ahead and repeal this tax rather than ask the State Legislature to do so. But, with the provision that we have to find the means of coming up with \$3.2 million.

Mr. Ferlo:

I certainly sympathize with the concern that Mr. O'Connor raised, but I think it would be inappropriate for us to take a knee jerk reaction on this issue without really thinking about it. And I'd love an opportunity, if it's in the form of a resolution, for it to come up on a Wednesday session so we can talk about it. But I'm very hesitant to support a resolution just blanketly sending a message to Harrisburg.

I don't think we should start tinkering with the whole tax policy unless we have an overall strategy. For instance, I'm more concerned that we have property tax relief for elderly property owners so that the are no longer burdened with school property tax. To me, that would be uniformly spread out across the Commonwealth. It would help all elderly property owners, regardless of their income, whether they have pension investments or whatever their income status is.

So, if there's any kind of tax relief that I would like to see that would be fair, equitable, and help the largest class of people, I would like to see the State Legislature get rid of and remove

the tax burden and elderly property owners to pay school tax. We have people 60 and 65 years old that are continued to be burdened by high property taxes because of the school system, and they don't have children in the school system. I think if there's any message that we send, let's send a message to reform that and really give some actual real relief. You know this gentrification bill, this notion of this thing, it's just tinkering. it's not really fair, it's not equitable, and it's not really getting at what is the main burden confronting elderly property owners in this City throughout the County.

Mr., Cohen raises a good point. We have to deal realistically with the issue of \$3.2 million in lost revenue without having another source of money for that. \$3 million is several police stations, lots of fire trucks. And it's a lot of other expenditures in City government. The County, I believe, takes in about \$10 million under this fee.

I sympathize with it but I would like an opportunity to have fuller debate and dialogue on it, not just blanketly send a resolution to the legislature which starts tinkering without an overall strategy regarding this issue. I think it would be wrong to do that.

Michelle Madoff:

Obviously I agree with both my colleagues and I want to thank Councilman O'Connor for raising this issue because I think basically, and correct me if I'm

wrong, I don't want to speak for you, but I think what you're saying is what a wonderful opportunity to really force tax reform to bring about tax reform.

It gets right back to, again, Mr. Ferlo, you talk about the gentrification bill, and we must remember that when we had the swap tax here and we ripped off the seniors and I was irate about that, it's a waste of time and money. I just pointed out today a \$200,000 waste.

We're going to have to have tax reform and I'd like to put some of this in perspective. I've always had my taxes done by an accountant because, although I don't have a lot of money, it's a complicated source of income, it comes from three different sources. One of them is my job. What I've learned from talking to my accountant and others is that, as Mr. O'Connor has pointed out, in the suburbs I think its 4 mills, we pay 1.2 percent of your holdings whether you make a profit or not. You don't pay it on the profit which would be fair, you pay it on your holdings, even if you lost money that year.

I might also point out that what happens is that in a community that loses its middle class and it's affluent, because they say, well, it's nice living up here overlooking the City, or it's nice living in Squirrel Hill, or it's nice living in Shadyside, but is it really worth paying 1.2 percent of my holdings? So, when those people move out, what happens? What happens is the little guy who doesn't have any holdings, who says this is unfair, let those people who have it pay, and on the surface that would

appear to be correct, perhaps doesn't understand that his tax or her tax will go up because if there isn't money in the general fund because people have moved out and are not paying that difference of the 4 mills to the 1.2 percent hold, 12 mills, that we have to pick up the loss. In a community that's gone from 700,000 people to 365,000 approximately, we can't afford a loss of more residents flight to the suburbs. We just can't afford it.

I think if we want to do anything with our Legislators, this is the kind of message we have to send to them. We're just playing shuffleboard and it's like rearranging the chairs on the Titanic.

Something has to be done. It has to be done now. What a wonderful time to zero in on tax reform.

And I might add, for the people who don't know, that at the end of the year if you do not hold anything in your portfolio that is subject to tax, if you buy something that is taxable but you get rid of it before the end of the year, as I do and many other people do because I don't want to be burdened with that tax although most of my holdings have been in tax free as you gather knowledge on the bond. And, incidentally, a final report will be in Thursday.

We're not really taxing those that we feel should be giving it. Obviously, perhaps tax on a sliding scale, those who have the most should pay the most. That might be a more just and fair tax. We've never been able to get that

across the country, never going to pass. And so, we've got to get to the Legislators to get time to understand. There's so many suburban Legislators and oh so few urban Legislators and oh so few urban Legislators that it's very hard to get anything through.

But once again, if we could get some leadership, we get a city that has a leader that will do what the Mayor promised to do and never did, have thousands and thousands of Pittsburgh's in caravans, cars, buses, trains, get down to Harrisburg and just bring our box lunch and sleeping bags, and just stay there until we get tax reform, that may happen.

Mr. Onorato:

Since the County had taken the lead somewhat on this issue by forming that Blue Ribbon Committee. I know there has been recommendations to possibly repeal the personal property tax at the County level for next year. But they also recognize, as Councilman Cohen said that you have to replace the revenues that you're eliminating and they're currently working to come up with replacement revenue.

I don't know what that is but what I would like to do, and I would suggest to my colleague, Mr. O'Connor, is that possibly we get the report from the Blue Ribbon Committee that was set up by the Commissioners and maybe have our own committee here to discuss how we can replace the \$3.2 million if, in fact, we want to repeal this personal property tax. I think that we can have a lively discussion on a Wednesday with some good plans of possibly doing some type of swap or move where

you eliminate the personal property tax and come up with something that's more fair at this point. However, until we get the regional funding from Harrisburg, we have to address that issue because currently we can't just eliminate \$3.2 million.

But I would say that we look at the Committee's report that was already established. There were a lot of good individuals on the Committee that the Commissioners appointed, and I think this is an opportunity that we can share at both levels and see what they're recommending.

Mr. Ricciardi:

I commend Mr. O'Connor for raising the issue and the fairness of the personal property tax in these Chambers because we have to continue to talk about the way we tax our constituents and our residents.

Personally, I'm opposed to the property tax for a number of reasons. First, for example, you're taxed on the total market value of your securities and not either the interest or the dividends of those securities which means the person is saying and they've lost on some sort of stock. They can still be taxed, though, however, on the value.

Secondly, I'm opposed to the personal property tax because you have to report all of your holdings. Then the decision is made by government which holdings are taxable. In effect, they like to see a litany list of all your holdings.

The form of which we approach it, though, is debatable. Do we

approach it by the resolution proposed today by our colleague, Mr. O'Connor? Do we approach it but something that Mr. Cohen has said, repealing it ourselves? Or do we go Mr. Onorato's route and that route is more discussion and talking to the task force itself?

Personally, as I've said, I'm opposed to the personal property tax. What I would like to hear now for more discussion, if I may, Mr. Wagner, again I would like to hear the motion that was proposed by our colleague, Mr. O'Connor so I could better understand the motion itself.

The Chair:

Let me have a comment first. The fact remains, and I support any motion that talks about restructuring the antiquated tax structure that exists in this City, and certainly that leads towards a regional funding mechanism. The fact remains that Philadelphia has two regional funding mechanisms and the City of Pittsburgh has none. This city has been denied at the State level and Harrisburg of having a regional funding mechanism to support the tax properties and the many, many regional institutions that exist in the City.

So, Councilman O'Connor, I've sent hundreds of letters to State elected officials over the years on this issue. There has been no response. I welcome any and all motions that continue to put the ball in their court on this issue.

If you want to further explain the motion, please do.

Mr. O'Connor:

In answer to Councilman Ricciardi and you, I am requesting that they provide alternative tax structures for us or them to replace this. Certainly I don't suggest they do it this year, but as Michelle mentioned, we have to start the ball rolling somewhere. Let's start putting pressure on them to come up with an answer because the pressure is on the people in the City of Pittsburgh. Admittedly, maybe the above middle class who are paying this tax but they're paying this tax three times. And when they leave we'd certainly like to lower the property tax and help all our citizens, whether they be senior citizens or young families with children in school. We have to lower that. The wage tax was probably the most significant thing to chase people away. And especially if we chase the higher income people away, who picks up the burden?

As you mentioned, we're supplying the burden now. We're not getting the help or the support Philadelphia gets. Again, our State Legislators should help us a little because we've cut our residents in half and who's going to pick up this burden? The remainder is just not enough.

The Chair.

Could you clarify the motion again for Councilman Ricciardi, please? Mr. O'Connor

The motion is to send a letter that we would like to repeal that tax but we need alternative taxing strategies. I put the ball and the burden back in their court to provide regional tax structures

before next year. Hopefully it doesn't take another ten years until we get what Philadelphia has.

Mr. Ricciardi seconded the motion.

The Chair:

Let me just add one point. Over 25 percent of Philadelphia's budget, annual budget, is a regional funding mechanism. Less than one percent of the City of Pittsburgh's budget through the occupational privilege tax, the flat \$10 tax, is a regional funding mechanism.

There is a tremendous discrepancy at the State level in tax structures for big cities in this State. In other words, Philadelphia gets far more than Pittsburgh gets.

That's really the issue at hand and if the people of this City begin to understand that and we begin to sell it, the people at the State Level will, I believe, have to give us what they've given Philadelphia. Not in the same structure, but in some modern way that permits us to reduce the property tax, to reduce the amusement tax, and to take a good hard look at the business privilege tax, and also the personal, the tax that we're talking about today. All of them need to be revamped. They can only be revamped with regional funding mechanism.

Mr. O'Connor:

Also, I would like to suggest to them, maybe it wasn't politically smart to support this ten years ago, but I know, and I

speak to a lot of suburbanites, and they do not want to lose this City. They are all concerned about this City, whether it be crime, school system, whatever it maybe. No one wants to lose it. And I think now is the time if they would listen to their voters. I think the votes in the suburban areas would support this and they want to support the City. The \$10 occupation tax, everybody you talk to who lives in the City thinks it's a joke, and everyone I talked to was willing to pay more.

I think our Legislators should listen to their voters and start doing something about it.

Michelle Madoff:

May I just thank my colleague, Mr. O'Connor, and all the people he talked to from the suburbs. A number of years ago I created a line item in the budget for anyone who would like to tax a tax write off by making a contribution to the City Treasurer to get more than their \$10 because they get a lot more than \$10 in services from the City of Pittsburgh.

So may we remind anybody who would like to make a check out to the treasurer of the City of Pittsburgh for any amount of money, you could even be a City resident who would like to give more than \$10 for the services they get from the City.

You may recall that was the infamous meeting under the clock at Kaufmann's when I suggested that. It was pooh-poohed that nobody would support it. We brought in \$2, 000 and at that time the Administration called it the laughing tax. Well it's not a

laughing matter. Many years later we're in the same bind. And if we're going to make a change, I think we ought to understand that we need some leadership.

That leads me to asking you to withdraw your letter because that letter has gone out in the 15 years that I've been here, Mike, would you say, 50 times. Easily. From the Administration. From us. From the so-called lobbyist that were hired to work in the Mayor's Office but weren't really full-time lobbyists. Et cetera, et cetera. Instead, we have a statement a very outspoken leadership statement that was made by Commissioner Foerster. He said, "We will not have this tax. We will find something else." Therefore, I would suggest if you want to represent us, if the President of Council isn't about to do it, didn't pick up on that, that you meet with them. We have the Committee meet with the Commissioners and say, "What can we do jointly? What is your idea? We want to help you. You've got a Blue Ribbon Commission; can we join you? Can Members of Council join you?" We've got to do something to bring about tax reform now.

The Chair:

I just want to interject. I know, Councilwoman Madoff, you made a reference to me. Well, I would ask you to come to my office after the meeting and I will show you all the letters that I have sent to hundreds of people over the years on the issue and the lobbying that I have done with many people.

Michelle Madoff:

I don't think a letter is the answer. You show me your and I'll show you mine.

Mr. Ferlo:

I just want to clarify my concern about what Mr. O'Connor's resolution proposes. I think part of the problem that has plagued the City and the County is that we haven't spoken with one voice in Harrisburg regarding what we want that strategy to be. And I don't think we can play smoke and mirrors here with the City tax payer. If we forego or give up that \$3.2 Million, we either have to drastically reduce something or we have to find another revenue source. And most likely that's either going to be back on wage or back on property tax. There's no illusion here. We have to be real with people and be frank with them about what our relevant financial situation is. We've done our best, at least the many years that I've been here and others who have been here longer, not only to hold the line on increased taxes but also to change a tax policy it relates to reducing the wage tax, which I have supported twice.

But I don't think we should be smoke and mirrors here. I think we have to be up front and be frank with people about the predicament we're in.

There are only two alternatives I see at this point. Either we support the one percent sales tax arrangement, or we support an increase in the occupation tax. And I have no problem with the resolution if it speaks specifically to a specific strategy, not just sort of a

general raising of the issue without giving clear direction to the legislative body on what it is that we want to do. And I think part of the problem is that we don't speak with one voice in terms of the City and the County. We know historically the County Commissioners have had more influence on the Harrisburg Delegation than past Mayors, and that's been a worse thing in the situation in this past regime that we've had.

So, I don't think we should be smoke and mirrors here. I think we have to be up front with the City taxpayers about what is real in terms of our taxing policy. And it's nice to say let's get rid of personal property tax, but I think it's irresponsible to do that unless it's clear on what we're going to either cut in the City budget or what we're either going to raise by way of other revenues. And if we are writing a letter to Harrisburg, I would say let's at least amend Mr. O'Connor's bill to be specific about what it is that we want. I personally favor both of those notions, the one percent and the raise in the occupation tax.

Mr. Cohen:

I'd like to add a friendly amendment to the resolution. I think that it's a positive resolution, very much so, but we have within our delegation now, within the City's State Representative Legislative Delegation the person who is in a position to be able to start this ball rolling, and that is Ivan Itkin who is now the Majority Leader of the House. As a

friendly amendment, I'd like to ask that we meet with him and really sit down and talk about a singular agenda which Councilman Ferlo mentioned. We don't have a singular agenda. Everybody agrees with that. We don't even have it probably here on this Council but we have it a lot more on this Council than we do between City and County and State.

I would suggest that we set up a meeting with Ivan Itkin, come up with a singular agenda for the way to reduce this tax. Personally, I think its the regional assets district. I won't get in to all the reasons, but I would just like to add that as a friendly amendment.

Mr. O'Connor:

I think we're almost all in agreement with the occupation tax, the regional tax, and possibly sales tax might be the other thing.

I would agree to meet with Ivan Itkin but I would like it to be with one or several of the Commissioners to work together with them and the President of Council as a body and any City representatives so that we are on the same page. If we can get that far, we might even want to bring the School Board in with us so that we're all together on it.

I am not opposed to working with them and I would certainly set up a meeting with them very quickly. Let's send a message jointly to the State from all of us that we want something done about this tax.

The Chair:

Do you want to hold your

motion or do you want to move forward with the friendly amendment proposed by Councilman Cohen?

Mr. O'Connor:

I'll hold the motion and see if we can have a meeting by next week and I'd like to address it as a joint venture and do it with both parties.

The Chair:

So you're withdrawing your motion?

Mr. O'Connor:

I'll withdraw my motion for now.

Michelle Madoff:

Mr. President, on the same subject that's very important. If Mr. Perry, with his new technology on the computers that can go back and search, will find the minutes of the meeting where we met with Mr. Itkin and we met with a number of people and the question they asked, pay attention, gentlemen, the question they asked was, "What do you want us to do? Tell us what you want us to change it to. Be specific. Give us specifics."

That is what you're going to hear again so you'd better be prepared. We have an accountant in our midst, Mr. Dan Onorato. Be specific. Work out a scheme or a scenario or what have you as a possible alternative to what we are trying to change. Then we have some grounds to talk about. Otherwise, we are really into smoke and mirrors.

Could you pull that, Mike, for my colleagues, please?

Mr. O'Connor:

Could I just finish it up? I'll call a meeting with any Councilmembers that want to with the Commissioners or representatives from their office so that by next week we should have something with specifics, as you mentioned, Michelle, concerning the taxes. And we would recommend that they do and hopefully we would all support them for the next go around in Harrisburg.

Mr. Ricciardi:

I'll withdraw my second as a courtesy to the maker of the motion. I just want to state, however for the record that I do not support the personal property tax for the reasons I set forth. However, we do need total tax reform and not tax increases.

And, Mr. Ferlo, since I did see you throw your head back, let me say that it would be easy for me to find the \$3.2 million because last year I proposed a budget of 1.6 cutting upper management. So I would have no problem finding the money.

Let me just say that I really think that we should contact Mr. David Farley who is as you know, our Legislative Liaison in Harrisburg and Washington, D.C. for the meeting. And I'd like to be a part of that meeting.

Mr. Ferlo

I'm against all taxes. Let me get that on the record.

Very briefly on a separate issue. It's interesting that the amount of money that Mr. Cohen points out that we raise each year on the personal property income is roughly \$3 million because that's basically what this Administration has squandered in relation to the whole tiller fire truck fiasco.

I would respectfully ask that we have a public hearing on the tiller truck but specifically to focus in on several concerns. Obviously we can't undo the fiasco that I think is quite obvious.

The Chair:

Would you like to put that in the form of a motion?

Mr. Ferlo:

I'd like to explain the motion.

The Chair:

Well, let's have a motion and then we'll discuss it.

Mr. Ferlo:

I make a motion to have a public hearing on the tiller truck business but not so much to rehash the obvious, the obvious being that the Administration was quick to judgment on not only purchasing the tiller truck but when you add up the purchase of the tiller truck coupled with the expenditure with the Massaro Corporation, of the remodeling of the fire stations because the truck was so heavy it couldn't fit in. It was roughly a \$3 million price tag.

Michelle Madoff seconded the motion.

Mr. Ferlo:

I don't think we should let everybody off the hook. What I'm most concerned about is that we have some clear direction in the future on major purchases. I think we need to review and revisit the whole process that went into purchasing these vehicles, what transpired, and specifically, you know, many of the individuals who are responsible for this debacle are still around in City government.

For instance, I'll pick an example. Mr. Jacoby told an outright lie to this City Council when he negotiated before this Council regarding the acquisition of these trucks. The transcript will show that Mr. Jacoby himself assured this Council that this Council would be an operational truck in at least ten other cities around the country and that that would be part of the bid specifications. That was an outright lie. It didn't happen. It was never a guinea pig truck that was not even operational anywhere else. It was reconstructed in the megalomania mind of Chief Leahy who at one point said that those trucks and him will be here long after Jim Ferlo. Well, he shook out of town and left the City and he did leave us, however, five trucks which have been wasting away in the last year in a Lawrenceville warehouse.

I'm concerned that we begin seriously not only reviewing the past but where we are at right now presently with these trucks? I think we need an explanation of what is the City Administration's strategy on trying to recoup some of the expenditures of these five trucks. I would hope that they

would not go out and I at one point complained to General Services not to put them out on just a regular City auction. If anybody has been to a City auction you've seen that many things go for two cents on the dollar. That's not the way we should handle these trucks. We need some ability, even if we have to pay a little bit, we have to find a way to do a directed sale to other municipalities around the country, airport authorities, anybody else who could maybe find some practical use for this Beast of the East, this monstrosity that has cost us over \$3 Million.

I'm amazed at all the things that went on in the purchase of this truck from the bid process to the lucrative contracting out with Massaro Corporation which had Turner and Matter and Brophy working there. You still have Botsford, you still have Cannon and Jacoby on the payroll and it's like, let's wash our hands. Nobody cares about this situation regarding the fire trucks, and I don't think that's fair.

I think this Council has a responsibility to improve its checks and balances. We did that a year and a half ago when I had introduced a bill trying to checkmate the purchases of the Equipment Leasing Authority so that the issues have to come back before this Council.

I'd just like another issue, and that is the great Hydro Electric Power Plant. I would ask that Council be more deliberative and demand more information. So, I'm asking for a public hearing, not so much to review the past but to get a clear sense on how we at least can begin to recoup some of

the money that we've wasted.

The Chair:

Prior to the Hydro Electric, is that a separate issue?

Mr. Ferlo:

Yes.

The Chair:

On the tiller trucks, all in favor? Opposed?

WHICH MOTION PREVAILED.

Mr. Ferlo:

Okay. My point on Hydro Electric is this Council be quickly rubber stamped an issue without being deliberative and doing it to do diligence. I think we need to do a better job in term of the whole issue of major equipment purchases.

Michelle Madoff:

I'm not going to go into detail today but I'd like my colleagues to start think about the article, the editorial that appeared in the paper selling Pittsburgh with reference to promoting the City that has been on the minds of Councilmembers forever. We even appropriated some money, am I correct, Mr. Wagner? \$40,000.00 one year to fill that position. The Mayor sort of usurped those dollars and some Mickey Mouse effort was made or not made.

We have a number of overlapping agencies in the City and the fact remains that if you want to talk about doing a post

agenda, we ought to start thinking about bringing all the parties together, the Convention Bureau, the Visitor's Bureau, the Promotion Bureau, the duplication of services, and start talking about who, indeed, is going to promote the City of Pittsburgh. I think everything in this article is very, very meaningful.

The Chair:

One final quick issue. I know Councilman O'Connor had a post agenda a week and a half ago and one of the primary items was the Sears store in East Liberty. I know several other Councilmembers have been very much involved in that issue.

One of the top requests of the East Liberty Development was for the store, once it closed, not to be boarded up. It has been boarded up within the last several days.

I called a number of different executives within Sears this morning and I would ask the public to do the same beginning with the Chairman of the Board. Mr. Martinez in Chicago at (708) 286-2500. The reason being is that that store closing, number one, was a detriment to the neighborhood. Now with the store being boarded up it is sending the wrong message about the potential re-use of that building. And it certainly is sending a very bad message to the business district in East Liberty, particularly adjoining stores that have very viable business right within the immediate vicinity. And it very well could add to additional deterioration in the neighborhood.

So we would ask Sears to

remove the plywood that they've put up and the boarding up of the store and to make it look at least presentable during the interim period between now and when the East Liberty Community and the City of Pittsburgh and all others involve many of you can get that piece of property re-used for a very positive purpose.

Mr. Ferlo:

I appreciate you bringing this up, Mr. Wagner. I obviously support it. It was certainly one of the concerns that was raised at a community meeting a few weeks ago.

I'm very disappointed at Sears, obviously. I've stated that in the past. I'm not going to shop at Sears anymore. I'm sick and tired of these companies closing inner-city stores expecting all of us to flee to the suburbs. Personally, I'll shop at many other places. I'm not shopping at Sears anymore.

Setting that issue aside, what I would ask as part of this concern that you just raised is that we collectively send a letter to Sears asking them not only to deal with the security issue in terms of the interim period, but I think we should also collectively ask them to donate the 5 1/2 acre site and transfer that parcel to the Urban Redevelopment Authority and the East Liberty Development so that we can together look at marketing and developing that site.

This company has made out well in the City for many years. It's true that we are part of a national problem in terms of

closing of Sears Stores. I think there has been mismanagement on the part of Sears. A long time ago many of us pointed out that they were not keeping in tune with changes at J.C. Penney and Ames and Hills had taken in terms of recognizing the habits of shoppers.

But, setting that issue aside, they've done well in this City. Historically, we contributed to the ability of that Sears to open originally in terms of the major investment in the so-called East Liberty Mall. And I think we should collectively ask, as the URA has already done by way of a letter from Director Birru, I think we should back him up and ask that Sears consider transferring the property to the Sears Foundation. They've already cut back on support of Mr. Roger's WQED Show and I think it would be a good faith effort on the part of this company to do something back in return for the community's support for many many years.

So, I'd like to ask that that be part of the concern that you just raised, that we collectively send a letter and ask them to consider transferring this site to URA and the ELD.

The Chair:

Is everyone in agreement of doing that?

Okay, there's not even a need to vote on it.

Mr. Cohen:

Very quickly I'd like to raise a very important point and I agree with Councilman Ferlo, Sears still

holds that property.. They have to be responsible for that property, act in a responsible manner while the store is open and after it's closed. And there is evidence that they are not acting responsibly. So I agree with your point.

Mr. O'Connor:

Maybe there's a reason why Sears is going out of business. They certainly aren't user friendly. I've been calling them for over four or five weeks. I called them again this morning when I heard about the board up.

The East Liberty Development Corporation only asked four things of them leaving, and the first one is please don't board up the store. Very simple things like keep the grounds clean, keep security lights, and the fourth one was keep security 24 hours.

So they certainly haven't been user-friendly to my office as far as asking - I didn't ask them to donate, I just asked them for a price, and they still have not come up with a price for the grounds. So, we in City Hall, they're tying our hands as far as trying to help development. We have outside people interested. The Mayor's Office has agreed to help us after our meeting And East Liberty Development's Karen LaFrance, has done an outstanding job, I think. They're working with them but they certainly aren't friendly to us. If they treat all their customers like they're treating us, it's no surprise why they're going down the tubes.

The Chair:

Mr. Perry, please send the letter representing Council as a whole.

Michelle Madoff moved to approve the minutes of Tuesday, March 9, 1993 and Tuesday, March 16, 1993.

Mr. Darkins seconded the motion.

Which motion prevailed.

And on the motion of Mr. Cohen

Council adjourned.

MUNICIPAL RECORD

Proceedings of the Council of the City of Pittsburgh

VOL. CXXVII

Monday, April 5, 1993

No. 14

Municipal Record

ONE-HUNDRED TWENTY-SEVENTH COUNCIL

JACK WAGNER President
MICHAEL PERRY City Clerk
LINDA M. JOHNSON-WASLER.... Asst. City Clerk

Pittsburgh, PA
Monday, April 5, 1993

PRESENT:

MR. COHEN	MR. O'CONNOR
MR. DARKINS	MR. ONORATO
MR. FERLO	MR. RICCIARDI
MICHELLE MADOFF	MR. WAGNER
	(Pres't)

The Meeting was opened by the recitation of the Pledge of Allegiance to the Flag of the United States of America, and a moment of silent prayer for peace throughout the world.

I pledge allegiance to the Flag of the United States of America and to the Republic for which it stands, one Nation, under God, indivisible, with liberty and justice for all.

PRESENTATIONS

The Chair:

I'd like to ask the Carrick High School Basketball Team to please step forward to receive this resolution. Coach Vitale, the Vice Principal, all the students and players that are here today.

The Chair presents

No. 2243 WHEREAS, on March 17, 1993, the Carrick High School Raiders Boys Basketball Team captured the Class AAAA City League Basketball Title at Alderdice High School with a 65-58 win over the defending champion Brashear Bullets; and

WHEREAS, the Raiders made school history by being the first Carrick boys team to claim the City League Basketball Championship in the 65 years of the program; and

WHEREAS, the team's determined run to the top, led by Coach Chuck Vitale and Assistant Coach Ron Harris, capped off a winning season and brought a new sense of pride and accomplishment to the players and to the student body of Carrick High School; and

WHEREAS, the team members are Ricky Bigelow, Dewayne Brown, Chuck Cieslak, Tom Fuchs, Larry Harris, Darren Herrie, Rick Millern, Muhammed Mims, Bernie Mohan, Chaaka Moore, Dan Reiser, Joe Robinson, Vernon Vereen, Mar White, Ron Whitehead, and

Aaron Wormsley; and

WHEREAS, the success of the Raiders throughout the season and in the playoffs is a testament to the exceptional spirit and determination of each team member and the coaching staff.

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh does hereby congratulate the Carrick High School Raiders for achieving the Class AAAA City League Basketball Championship; and

BE IT FURTHER RESOLVED, that the Council of the City of Pittsburgh commends the coaches, parents, teachers, and students of Carrick High School for the support and encouragement offered to the team on their paths to success both on and off the court.

Mr. Cohen moved to adopt the resolution.

Mr. Ferlo seconded the motion.

Which motion prevailed.

The Chair:

Coach, it's an honor for me to present this resolution. There is one that we hope will hang in Carrick High School trophy box. Again, the first City League Basketball Championship, all of you truly should be commended.

In addition to your performance as athletes, we know you work very hard as students and, really, that's what's important.

Coach, Vitale, would you please say a few words on behalf of the school and the team?

Coach Vitale:

Mr. President, Members of Council, it's an honor for us to be recognized in this manner by City Council. I'd like to thank you very much on behalf of myself and members of the team, the Administration of Carrick High School, and all of the people in the Carrick community. This means a lot to the school and, again, thank you very much.

The Chair:

Mr. Earl Lamar, the Vice President of Carrick High School.

Mr. Lamar:

Thank you, Mr. President and Council. It has been a banner year for us. These kids, we've had great individual athletes but we've never had a better team than what we have here. These kids have been determined and it is difficult for them to come from all areas of the City and to work every evening with Coach. He's been with these kids since they were 9th graders. They work hard to keep their grades up, and that's an accomplishment in itself.

So, on behalf of the administration and the staff at Carrick High School, we thank you very much for recognizing us.

Coach Vitale:

I did want to say one more thing. I know it took 65 years for Carrick to win a Championship. I just want it entered in City Council's Minutes that I was not there all 65 of those years.

I'd like the team's Co-Captains, Dewayne Brown and Chuck Cieslak to come up here and say a few words. Thank you.

Dewayne Brown:

I just want to say thanks to all the players, the coaches, everyone at Carrick High School really helps us out.

I also want to thank the community for being there at our championship games and following us throughout the play offs. Thanks.

Chuck Cieslak:

I'd just like to say thanks for recognizing us down here. I know everyone recognizes us around the community and everything, but I didn't know it would carry this far. I think it's real nice of all of you to do this. Thanks.

Mr. Darkins:

Mr. President and my colleagues on Council, I so move today that we put on record that we declare this day as Carrick High School's Basketball Day all over the City of Pittsburgh.

Mr. Cohen seconded the motion.

Which motion prevailed.

Mr. Ferlo:

Members of Council, on behalf of Councilman Cohen and myself, we'd like to introduce the following resolution which actually was the subject of a great banquet the other evening at the University Club honoring one of our great friends here in the City.

Mr. Ferlo and Mr. Cohen present

No. 2244 WHEREAS, Celeste Behrend has dedicated her life to and has been a tireless campaigner for peace, social justice and civil rights; and

WHEREAS, Celeste Behrend has served as a Democratic Committeewoman for over twenty years and is an original founding member of the 14th Ward Democratic Club; and

WHEREAS, Celeste Behrend has been an Officer and Director of the Americans for Democratic Action (ADA) for more than three decades and has also been an activist in many social and civic groups promoting the well-being of our community; and

WHEREAS, Celeste Behrend served as the Circulation Director for Pittsburgh's liberal alternative newspapers, the Point and the Forum, during the 1960's and 1970's; and

WHEREAS, Celeste Behrend is a member of the Pittsburgh Democratic Committee's Commission of Women in Politics; and

WHEREAS, Celeste Behrend is proud of her outstanding family which includes husband Bill Behrend, children Sam, Bernie and Charlie, and grand-children Daniel, Georgia, Maggie, Vanessa and Kacy.

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh hereby officially recognizes Celeste Behrend for her lifetime of work dedicated to peace, civil rights and economic justice; and

BE IT FURTHER RESOLVED, that the Council of the City of Pittsburgh hereby declares Thursday, April 1, 1993 as "Celeste Behrend Day" in the City of Pittsburgh.

Mr. Ferlo moved to adopt the resolution.

Mr. Cohen seconded the motion.

Which motion prevailed.

Mr. Ferlo:

Since we're doing this in effect retroactive back to April 1st, I'm glad it was unanimous because when I spoke at the banquet I said it was going to be unanimous.

Celeste Behrend happens to be a real close friend of mine for at least two decades. She likes to say that I'm one of her extra sons; maybe that's why I'm incorrigible because she's very outspoken and she's a good fighter for lots of different things in this City. She's been active for many, many years in certainly the Squirrel Hill community, but I've known her because of her activities politically throughout the region.

She's a great lady, she's a great wife, a mother, and she's a great community person. And she's a great politician too.

With this, I'd like to ask Councilman Cohen to say a few words and then we can bring Celeste up to say a few words. She was honored this past Saturday at a dinner at the University Club of the Americans For Democratic Action and there were over 150 of her friends and family members there. It was a great dinner and we wanted to bring Celeste down to officially let the record of this City reflect what we already knew, that she's a great lady.

Mr. Cohen:

Jim, when you just said that I was going to say a few words, Celeste just said, "Oh my, not again." I don't know whether that means you don't want me to speak for you or whether you thought it was just too much.

I feel deprived, actually, because unlike Councilman Ferlo who I'm very proud to co-sponsor this with, I've only known Celeste for about seven years. But I'm very, very proud to have known Celeste, to know Celeste, and to call

her my friend, and a very special friend.

Celeste is, as Jim said, not only a wonderful family person and a real community activist, but somebody who personally got me involved in politics back in 1986. We worked together on a field campaign, probably the beginning of a number of field campaigns but we actually won one this last time.

It's just a pleasure working with you and it's a pleasure knowing you and it's a pleasure having you as my friend.

That having been said, you say a few words because they want to hear you, not me.

Mrs. Behrend:

My husband said that I was coming down here to get resanctified after the other night.

But anyhow, it really is an honor to be recognized by a great City Council, by my two good friends, and I have other friends on City Council. This is a great City of Pittsburgh and I'm really proud to be part of it and to get this. Thank you.

The Chair and all Members of Council present

No. 2245 WHEREAS, the Allegheny County Board of Commissioners formed the Mon Valley Commission in 1986 to study, advocate and otherwise influence the economic revitalization of the Mon Valley region of Allegheny County; and

WHEREAS, the Mon-Fayette Expressway has been studied, restudied, directed and redirected and designated by the Governor of Pennsylvania as the number one highway priority in Pennsylvania because of its catalytic influence to the economic vitality and growth of the Mon Valley; and

WHEREAS, the Allegheny County Board of Commissioners has expressed total and complete support for the Mon-Fayette Expressway via correspondence with the Mon Valley Progress Council, a group representing Washington and Fayette Counties' development interests; and

WHEREAS, the municipal governments within the Mon Valley region of Allegheny County have heretofore passed resolutions and/or demonstrated support toward the Mon-Fayette Expressway; and

WHEREAS, the Mon-Fayette Expressway, as a continuous, limited access highway from I-68 in West Virginia to I-376 accessing Mon Valley redevelopment sites and existing communities, is viewed by the Mon Valley Commission as a crucial link to the eventual economic recovery of the Mon Valley; and

WHEREAS, primary arterial highways and roadways, accessing the proposed Mon-Fayette Expressway, are in need of major, state-of-the-art upgrading and repairs; and

WHEREAS, the Mon Valley Commission advocates the construction completion of the Mon-Fayette Expressway and its primary arteries by the year 2000, with minimal disruption to personal and business properties; and

WHEREAS, the Mon Valley Commission is steadfast in opposing any other expressway alternative which may cause a delay in the Mon-Fayette Expressway construction and/or otherwise take precedence over the Mon-Fayette Expressway; and

WHEREAS, the Mon Valley Commission reaffirms its support of the Mon-

Fayette Expressway within a broadly defined impact area of the proposed yellow corridor, to the northern area of the Glenwood Bridge, and advocates a connection to the Tri-Boro Expressway to I-76 (PA Turnpike); and

WHEREAS, the Mon Valley Commission will remain observant on this vital transportation-economic linkage and will be a steward to the development interests of Mon Valley communities.

NOW, THEREFORE, BE IT RESOLVED, that the Mon Valley Commission supports the construction of the Mon-Fayette Expressway as a continuous, limited access highway with major arterial upgrading within a broadly defined impact area of the proposed yellow corridor, serving the Mon Valley redevelopment sites and existing communities with minimal disruption to personal and business property, and to be completed no later than the year 2000; and

BE IT FURTHER RESOLVED, that:

1. The Mon Valley Commission petitions the U.S. Department of Transportation, Federal Highway Administration to act favorable upon the Design Location Study-Environmental Impact Statements as they are completed and reviewed in relation to a broadly defined impact area of the yellow corridor, and to expedite reviews among regulatory and review agencies so as to target the year 2000 as the completion date of the Mon-Fayette Expressway construction.
2. The Mon Valley Commission petitions the Pennsylvania Turnpike Commission to fast track the construction of the Mon-Fayette Expressway, as a continuous limited access highway from I-68 to I-376 within a broadly defined impact area of the proposed yellow corridor, accessing the Mon Valley

redevelopment sites and existing communities, with minimal disruption to personal and business properties, and to complete said expressway by the year 2000.

3. The Mon Valley Commission petitions the Pennsylvania Department of Transportation to work in concert with the Pennsylvania Turnpike Commission and to design, engineer and upgrade/repair State-owned primary arterial highways which will access the Mon-Fayette Expressway and to complete construction of the same by the year 2000.

4. The Mon Valley Commission petitions the Southwestern Pennsylvania Regional Planning Commission as the Municipal Planning Organization of the region, to give the highest priority ranking to the Mon-Fayette Expressway, within a broadly defined impact area of the proposed yellow corridor, and to advocate for its construction completion by the year 2000.

Mr. Cohen moved to adopt the resolution.

Mr. Ferlo seconded the motion.

Which motion prevailed.

The Chair:

Members of Council, this same exact resolution is in front of every legislative body from here to West Virginia to show general approval for the Mon Valley Expressway. Thank you.

Mr. Cohen presented

No. 2209 Resolution providing for the issuance of a \$852.00 warrant in favor of Ramond P. Fair in settlement of claim for sidewalk damage due to City tree roots at South 18th Street, payable from Code Account No. 46, Judgments.

Also,

No. 2210 Resolution providing for the issuance of a warrant in the sum of \$12,500.00 to Horace J. McDaniel c/o Thomas A. Crawford, Jr., Esquire, his attorney, 500 Triangle Building, 701 Smithfield Street, Pittsburgh, PA 15222, in full and final settlement of alleged libel, slander, defamation and any other related claims for which suit was filed in the Court of Common Pleas of Allegheny County at No. GD87-03259, payable from Code Account No. 46, Judgments.

Also,

No. 2211 Resolution authorizing the Mayor, the Director of Finance and the Director of the Dept. of Parks and Recreation to grant a license to Columbia Gas of Pennsylvania, Inc. to install, use, maintain and remove a regulator station in an 8 feet by 8 feet area of property of the City, fronting on South 18th Street, known as Quarry Park, in the 16th Ward, designated as Block 13B, Lot 38, for a term of five (5) years. The license shall be in form approved by the City Solicitor and shall be in consideration of the payment of the annual license fee of \$100.00. (Council District 3)

Also,

No. 2212 Resolution authorizing the Mayor, the Director of Finance and the Director of the Dept. of Parks and Recreation to grant a license to Columbia Gas of Pennsylvania, Inc. to install, use, maintain and remove a regulator station in an 12 feet by 20 feet area of property of the City, fronting on Bon Air Avenue, known as McKinley Park, in the 18th Ward, designated as Block 34D, Lot 20, for a term of five (5) years. The license shall be in form approved by the City Solicitor and shall be in consideration of the payment of the annual license fee of \$100.00. (Council District 3)

Also,

No. 2213 Resolution authorizing the Mayor, the Director of Finance and the Director of the Dept. of Parks and Recreation to grant a license to Columbia Gas of Pennsylvania, Inc. to install, use, maintain and remove a regulator station in an 8 feet by 10 feet area of property of the City, fronting on Elsinburg Street, known as McKinley Park, in the 18th Ward, designated as Block 34D, Lot 20, for a term of five (5) years. The license shall be in form approved by the City Solicitor and shall be in consideration of the payment of the annual license fee of \$100.00. (Council District 3)

Also,

No. 2214 Resolution Repealing Res. No. 180, Item C, eff. March 4, 1993, which repealed Res. No. 1051, Item B, eff. Oct. 26, 1992 which authorized the sale of a two and one half story, brick apartment, 11th Ward, designated as Block 83K, Lot 26, located at 5639 Rippey Street, to Mabruk M. Eshnuk, for the sum of \$5,000.00. The reason for the above repealing resolution is that the title search was received after forfeiture proceedings were initiated. (Council District #9)

Also,

No. 2215 Resolution amending Res. No. 1186, Item E, eff. Nov. 19, 1992, which authorized the sale of five, small, vacant, lots to Essie Humphries for the sum of \$1,250.00. The reason for the amending resolution is to change the lot size of 513 Chautauqua Street, Block & Lot No. 46-N-29, 25th Ward, which currently reads 20 x 142 to read 20 x 140 x 20 x 143.43. (Council District #1)

Also,

No. 2216 Resolution providing for the

filing of a petition or petitions for the sale of certain property or properties, acquired at tax sales in accordance with Act No. 171 of 1984, "Second Class City Treasurer Sale and Collection Act", effective December 11, 1984.

Also,

No. 2217 Resolution providing for the filing of a petition or petitions for the sale of certain property or properties, acquired at tax sales in accordance with Act No. 171 of 1984, "Second Class City Treasurer Sale and Collection Act", effective December 11, 1984.

Also,

No. 2235 Resolution Repealing Res. No. 154, Item A, eff. Feb. 28, 1990, authorizing the sale of property in the 3rd Ward of the City of Pittsburgh, in accordance with Act No. 171 of 1984.

Which were severally read and referred to the Committee on Finance.

Mr. Ferlo presented

No. 2218 Resolution providing for the issuance of a warrant in favor of Carl Marshalwitz, 725 North Beatty Street, Pittsburgh, PA 15206, in the amount of \$600.00 in payment for professional services rendered to Councilman Jim Ferlo for the month of April, 1993, chargeable to and payable from Code Account 1001-2, Salaries, Wages and Services of Council, As Needed, (Index Code 100123), City Council, District 7. **---(SPONSORED BY MR. FERLO)**

Which was read and referred to the Committee on Finance.

Mr. Ferlo moved to suspend Rule 8 by providing for consideration of the bill only until or after the

9th calendar day following the meeting in which the bill was introduced so the bill will be on the agenda this Wednesday.

Mr. Ricciardi seconded the motion.

Which motion prevailed.

Also,

No. 2219 Resolution authorizing the submission of an application to the Department of Community Affairs for Emergency Shelter Grants program for fiscal year 1993. The City Controller is authorized and directed to deposit any funds received as a result of this application into the ESGP Trust Fund.

Also,

No. 2220 Resolution amending Res. No. 228, eff. March 19, 1993, entitled "Providing for the filing of a Community Development statement by the City of Pittsburgh with the U.S. Department of Housing and Urban Development for a grant in connection with the 1993 CDBG Program" so as to add "Index" numbers to all of the CDBG Program line items.

Also,

No. 2221 Resolution providing for an Agreement or Agreements or Contract or Contracts, or use of existing Agreements or Contracts, with a Consultant or Consultants, or Vendor or Vendors, for the purpose of conducting planning and management studies, and related activities in support of such studies including the purchase of data and data analysis equipment and training in the use of such data and equipment, at a cost not to exceed \$273,599.67.

Also,

No. 2222 Resolution providing for an Agreement or Agreements with Pittsburgh Partnership for operating and/or administrative expenses of their agency involved in a variety of community/economic development activities, at a cost not to exceed \$420,000.00, chargeable to and payable from the 1993 CDBG Program, Department of City Planning.

Also,

No. 2223 Resolution providing for an Agreement or Agreements with Community Based Organizations for community and economic development planning assistance in various neighborhoods in the City and providing operating support for these groups in an amount not to exceed \$600,000.00, chargeable to and payable from the 1993 CDBG Program, Dept. of City Planning, Community Based Organizations.

Also,

No. 2224 Resolution providing for an Agreement(s) and Contract(s) with Consultant(s) and Vendor(s) to assist the City in improving its Citizen Participation Process and providing for the payment of the cost thereof at a cost not to exceed \$60,000.00.

Also,

No. 2225 Resolution providing for an Agreement or Agreements with a Consultant or Consultants for the purpose of providing architectural and design services, consumer surveys and market studies, promotional activities, commercial revitalization planning assistance, and business district management in various neighborhood business districts as part of the City's Neighborhood Business District Revitalization Program at a cost not to exceed \$100,000.00, chargeable to and payable from the 1993 CDBG Program, Dept. of City Planning, Neighborhood Commercial Analysis and

Support.

Also,

No. 2226 Resolution authorizing the URA of Pgh. to file a 1993 Enterprise Zone application with the Pennsylvania Department of Community Affairs for the North Side Enterprise Zone. (Council District No. 6 & 1)

Also,

No. 2227 Resolution authorizing the URA of Pgh. to file a 1993 Enterprise Zone application with the Pennsylvania Department of Community Affairs for the East Liberty Enterprise Zone. (Council Districts 7, 8 and 9)

Also,

No. 2228 Resolution authorizing the URA of Pgh. to file a 1993 Enterprise Zone application with the Pennsylvania Department of Community Affairs for the Lawrenceville Enterprise Zone. (Council District 7)

Also,

No. 2229 Resolution authorizing the submission of an application for federal assistance, a program description and certain certifications and the execution of a grant agreement with the U.S. Dept. of Housing and Urban Development for a grant in the amount of \$2,891,000.00 under the Home Investment Partnerships Program for fiscal year 1993.

Also,

No. 2230 Resolution authorizing a Cooperation Agreement with the URA of Pgh. designating the URA as the City's agent for implementation of the Federal Home Investment Partnerships Program, providing for the disbursement of funds directly to URA and

compliance by URA with Federal Home Program requirements. HUD has allocated \$2,891,000.00 to the City of Pittsburgh for fiscal year 1993.

Also,

No. 2231 Resolution authorizing the URA of Pgh. to acquire all of the City's right, title and interest, if any, in and to publicly-owned property in the City of Pittsburgh, under the Industrial Land Reserve Fund. (Council District No. 6)

Which were severally read and referred to the Committee on Planning, Housing and Development.

Also,

No. 2232 An Ordinance amending the Pittsburgh Code, Title Six, Conduct, Chapter 603, Parades and Crowds, Section 603.03(c) Permit Fee, by excluding veterans' organizations. --- (SPONSORED BY MR. FERLO)

Which was read and referred to the Committee on Public Safety.

Mr. Ricciardi presented

No. 2233 Resolution transferring the amount of \$5,000.00 from the Firearms Reduction Trust Fund (FRTF) to Code Account 1401, Misc. Services, Dept. of Public Safety. --- (SPONSORED BY MR. RICCIARDI)

Which was read and referred to the Committee on Finance.

Also,

No. 2234 Resolution providing for an Agreement or Agreements with various community organizations for professional

services for the benefit of the residents of the City of Pittsburgh at a cost not to exceed \$5,000.00 chargeable to and payable from Code Account 1401, Misc. Services, Dept. of Public Safety.
--(SPONSORED BY MR. RICCIARDI)

Which was read and referred to the Committee on Public Safety.

UNFINISHED BUSINESS

The Chair:

I would like to ask for a motion for the reappointment of the City Clerk, Mr. Michael Perry, and the Assistant City Clerk, Linda Johnson-Wasler, from the floor please.

Michelle Madoff:

I highly recommend and nominate Mr. Michael Perry for his present position and I'd like to also recommend and nominate Linda Johnson-Wasler for Assistant.

Mr. Ricciardi seconded the motion.

Mr. Ferlo:

Discussion. I'm going to vote in favor of this, and I talked to Mr. Perry earlier. This is actually in violation of what we agreed to during the budget proceedings. We spent a lot of time analyzing the staff and making a proposed change involving the Clerk's Office. I respect the fact that there has been a change now, but in voting for this today, I believe it's for three years, I'm only voting for it for a one year term in terms of the operation of the existing City budget until the end of the year. So, I'm going to vote in favor if we're not going to change the amendment. But I'm letting Mr. Perry know and Ms. Johnson that, as far as I'm concerned, this is a budgetary issue for now until the end of this year. And obviously

I respect them both and I know they're hard working and great professionals, I love them dearly, but it's in violation of what we agreed to.

Michelle Madoff:

Mr. President and Members of Council, a lot of things are in violation of what we agreed to. The fact remains that the appointment is indeed for the usual time which I believe is three years, and I think we're voting on three years, not one year, so I want to make sure that is understood.

The Chair:

I would just like to say that both Michael and Linda have done an excellent job and we know that over the years. As a matter of fact, I think they've done a fantastic job.

There were some things talked about and some amendments made in the budget in 1993 that anticipated the retirement of Mr. Perry. He has since decided to stay on for an undetermined period of time. And, as far as I'm concerned, he has done an excellent job. Linda has done an excellent job. And I'm sure at that time we will cross that bridge. That is the decision that he has made and I'm pleased that Council is receptive to that.

Michelle Madoff:

Are we going to vote?

The Chair:

Is there any further discussion on the motion?

And on the question, "Shall the motion pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. Onorato
Mr. Darkins	Mr. Ricciardi
Michelle Madoff	Mr. Wagner
Mr. O'Connor	(Pres't)

AYES 7 NOES 1

(MR. FERLO VOTING NO)

And a majority of the votes of Council being in the affirmative, the appointments were approved.

REPORTS OF COMMITTEES

Mr. Cohen presented

Bill No. 2236

Report of the Committee on Finance for March 31, 1993 transmitting one ordinance and sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 2086

A Resolution entitled, "Resolution establishing The Bed and Breakfast Trust Fund."
---(SPONSORED BY MR. FERLO)

Which was read.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

They ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Darkins	Mr. Onorato
Mr. Ferlo	Mr. Ricciardi
Michelle Madoff	Mr. Wagner
Mr. O'Connor	(Pres't)

AYES 7 NOES 1

(MR. COHEN VOTING NO)

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Also,

Bill No. 2139

A Resolution entitled, "Resolution transferring the amount of \$67,000.00 from Code Account 1102 (110205) Salaries and Wages, Regular and Temporary Employees, Department of City Planning to the Pittsburgh Film Office Challenge Trust Fund (PFOCTF)."

---(SPONSORED BY MR. COHEN)

Which was read.

Also,

Bill No. 2140

A Resolution entitled, "Resolution authorizing and directing the City Controller to create a special trust fund, to be designated as the Pittsburgh Film Office Challenge Trust Fund, for the deposit of cash and contributions from any source, both public and private, and authorizing the use of the funds through the Department of City Planning for the operation of the Pittsburgh Film Office, Benedum Trees Building, Suite

1308, Pittsburgh, PA 15222."
—(SPONSORED BY MR. COHEN)

Which was read.

Mr. Cohen:

On the two bills related to the Pittsburgh Film Office, Bill 2139 and Bill 2140, I would like my comments brought forward and to thank my colleagues for their support last Wednesday and ask for their support again today. I certainly won't repeat all the benefits of the Pittsburgh Film Office that it gives to Pittsburgh except to say that it has overseen \$100 million in economic benefit in the last three years and probably does a better job in terms of marketing the City of Pittsburgh than any other office in the sense that it promotes the image of Pittsburgh throughout the world.

This will fund the Film Office at least through September and that will hopefully give the Film Office and its Director, Robert Curran, the opportunity to nail down some of the producers that are looking at Pittsburgh right now for films over the next year.

Since Wednesday I have been speaking with some state representatives about the possibility of getting the State to meet the challenge of putting up money for this too. It's certainly not in the bag yet but representative, Chris McNalley, says that he is confident that the State will provide that funding in their budget which, as you know, will be hopefully completed by the middle of the summer. That, of course, is in the event that the dispute over the hotel room tax is not resolved by then.

Anyway, this is the right thing to do for Pittsburgh and for economic development and I can't think of a project that gives us more bang for the buck than the Pittsburgh Film Office. So I thank my colleagues for their support last time and I would appreciate their support again today.

Mr. Onorato:

I'd like to have my comments brought forward and I'll keep this real brief.

I think it should be pointed out that its this body that is bailing out another group that's a very important group that provides a huge boost to the economy for the regional economy and that this body gets called on time and time and time again to make a decision at the last minute to bail out very important groups. We hear over the years a lot of shots taken at this body for different reasons, but I think that it should be pointed out that when people come here they feel very comfortable coming to this Council recognizing that we have an ear and we're very, very responsive when they come down here.

So I wanted to point that out that the City of Pittsburgh, the Council, came forward to recognize this economic generator and hopefully we can get regional funding to support this group.

Mr. Ferlo:

First, I want to thank Mr. Cohen for his leadership in trying to put together at least an immediately solution to the immediate problem that the film office is having.

In response to Mr. Onorato, he's absolutely right. City Council is always the forum and always has been and probably always will be the forum of last resort when people are not getting a resolution to their problem. This has been seen many many times.

I just want to be clear in voting in the affirmative in support of this allocation which, again, we're taking \$67,000 out of City operating tax dollars and allocating it as an up front emergency grant, I guess is the best way to characterize it, for the Film Office.

But in voting for this, I would like my comments brought forward and I would only be voting once for this emergency allocation grant. There are two areas that we should clearly look at between now and the end of the year with the Film Office. First of all, they should be totally funded from the \$2 million plus revenue that has come in now for the last two years, each year respectively, from the hotel tax. I resent the fact that there's any notion on any politician's part that that extra money that came in as a result of raising the hotel tax somehow becomes a pot of money with all this broad discretion. I think it's clearly stated in the State Legislation that that money is to come back to the City and to the County for promotional activities and, God knows, the Convention Center and our other places need better promotion.

As Mr. Cohen and others pointed out at the meeting, the Film Office is a low-budget, high-yield organization which is more than I can say for the Pittsburgh Convention and Visitors Bureau which seems to have 40 or 50 staff people and I'm not sure exactly what they're doing to promote the City, quite frankly.

So, in voting for this today, I'm voting it as an emergency grant. I would hope that if the money does come forward which is our rightful share of that money, the hotel tax money, that we could reimburse this fund and that that should be a more permanent source of funding.

I was talking to Chairman Pistella from Governmental Affairs over the weekend, he's a State Legislator from Bloomfield, and he was commenting that he and others had given their so-called walking around money, discretionary money that they had been confronted in the last couple of years with having to give money to the Film Office which, again, he agreed that that doesn't make any sense. There's a better way to fund it from the revenues which actually have

generated more money than originally the Legislature anticipated with the increase in the hotel tax.

So that is our money and in voting for this today I hope we're not sending any mixed message through the Administration to the Courts that we are not rightfully owed that money back for such things as the Film Office.

Secondly, it was discussed a little bit at the meeting. I do think there should be some reasonable fees associated with this activity as a direct way to refund and funnel back into the Film Office some money. Obviously that should be done in consultation with people like Mr. Curran. We wouldn't want it to be in any way reduced as ability to attract major movies. But that has been a technique in raising some revenue.

So, I'm voting for this conditionally today.

Michelle Madoff:

I think we need to find out, perhaps somebody on this Council does know, does the film industry when it comes in to film a film here pay or contribute to the film industry here? I think that's very important. That ought to be a source of revenue because the film industry does a lot of preliminary work, up front work, makes it easier for the film industry to come in here. And when we're talking about the budget of the film industry which is what, about \$150,000, \$200,000, the number of movies that have been made here and the cost of the budgets making the movies, that could easily be handled. It's in the best interest of the film industry.

I raise that issue because somewhere along the line they're going to run out of the \$65,000 that we're giving them, and then what. I think somebody ought to get the message across that they've got to be self-sustaining. We can't

come back here year after year. The public trough just isn't filled sufficiently with dollars to do that. This can't be an on-going thing.

Mr. Darkins:

Mr. President, I'm kind of glad that this has come to the attention of City Council. Especially I have to applaud my colleague, Dan Cohen, for a job well done. My reason for being glad that this came before Council at this time and they're seeking funds is because before this had happened we tried three years ago to get through to these people and make them understand the unfair labor practice and things that were happening within the City of Pittsburgh in regards to the African American community. And for three years we sat by and just watched the various film companies and what have you come in the City and the African American people were being left out. After Mr. Dan Cohen had come to me in regards to this, we've had an opportunity to sit and talk with the people from the film office and have entered into an agreement that I feel is comfortable.

The reason I speak about this today is because I think people should know that you will see a different change, the advertisements that will appear in the Pittsburgh Courier, the Renaissance Magazine, the Informer, and on several of the stations, and make the African American community more aware where they're to go and how it's to be done and come aboard and it should be that way. Anytime that we're putting out our tax dollars from the City of Pittsburgh it should be a congenial effort of everyone of total involvement.

So, I applaud Mr. Dan Cohen for bringing in this bill to us and the allocations that will be granted. I vote for this today.

The Chair:

I would like my remarks brought forward on this bill also.

(REMARKS ON FOLLOWING PAGES)

(MESSRS. COHEN, FERLO, ONORATO AND WAGNER'S COMMENTS)
(Bills No. 2139 & 2140 - Wednesday, March 31, 1993)

Mr. Cohen:

These two bills as I read do two things: One is they create a trust fund called "The Pittsburgh Film Office Challenge Trust Fund," and two is they put \$67,000.00 into the trust fund which represents one-third of the film office's needed budget. The reason I introduced these bills is that funding for the Pittsburgh Film Office is in serious jeopardy right now. Their money will run out in May, which means they will have to make arrangements to actually close the film office in April.

The state eliminated its funding on the assumption that the Pittsburgh Film Office would be funded through the proceeds of the hotel room tax, but as all of you know, the city and county are locked in a battle over the revenues from that tax and I don't want the Pittsburgh Film Office to become a victim of that battle.

The amazing thing is the Pittsburgh Film Office is threatened at a time when the film industry is booming in Pittsburgh. 1992 was a record year; they had nine films with a combined budget of \$128 million. And 1993 could be even better. As I understand it, two films have already committed to this area and another six films are seriously considering Pittsburgh right now.

I don't think anyone here questions the benefits that the Pittsburgh Film Office brings to Pittsburgh, but just in case, I did provide to everyone a little packet of Pittsburgh Film Office facts which should be in front of you which lays out what the Pittsburgh Film Office does, the economic benefit to Pittsburgh, but also the films that have been shot here in the last three years.

Since 1990 when the Pittsburgh Film Office opened, the economic impact from film production in Pittsburgh is over \$100 million. Just an example, the movie business accounted for over 100,000 room nights at local hotels during that period. In 1992 alone, over \$45 million was spent by film companies shooting on location in Pittsburgh and most of the crew personnel are local hires. One film this past year that is called Three Rivers, I think it has a new name now, but we will still call it Three Rivers, actually had a budget of \$35 million and put \$12 million in our economy in 1992. But aside from the economic impact, movie making does a terrific job promoting the image of Pittsburgh. Audiences throughout the world have seen our beautiful city in feature films. One of them that is out now called The Cemetery Club has terrific views of the City of Pittsburgh.

Robert Curran, the head of the Pittsburgh Film Office, provided me with this huge packet, I didn't think I needed to give it to all of you, but it is letters of support and information about the film office. If you would like to at any time leaf through these letters, they are amazing. There are

letters from crew leaders, community leaders, vendors, all talking about how great the film industry is in Pittsburgh and how good the Pittsburgh Film Office is.

I want to particularly take a moment to thank Reverend Darkins for his help on these bills. The Reverend has shown real leadership in working with the film office and myself to reach out to the African American community. I also want to thank the people here from the film industry; they are wearing these ribbons which signify support for the film office and support for the film industry in Pittsburgh. I went to their Oscar night on Monday night at Rose Bud, had a terrific time, and they were actually there to see whether any films that were filmed in Pittsburgh received an Oscar. I don't think they did, but at the same time Lorenzo's Oil and some others were up for consideration. And the year before I think it was Silence of The Lambs, which everybody remembers.

One of the reasons I am doing this is because I want them to have another Oscar night and be able to have the kind of benefits to the Pittsburgh area that they have had in the past.

Now, I know that this was supposed to be funded through the hotel room tax, but the fact is that hasn't happened yet, and these bills recognize that the city, county and state all have a vital interest in the future of the film industry in Pittsburgh, until the hotel room proceeds come through.

Councilman Ferlo has come up to me to discuss the fact that this should be reimbursed, the \$67,000.00 should be reimbursed once these hotel room proceeds do come through. That is fine with me. But at the same time, I think we should try to break this log jam by putting our money up and saying, "Okay. This is a challenge to the county and state to do the same thing. We will put up our 67,000, you do the same, and we will prevent this office from closing this year." I would very much appreciate your support for this bill.

Mr. Ferlo:

Thank you, Mr. Cohen. And I welcome everybody who came here today on this issue. I want to thank Mr. Cohen for submitting this bill. In fact, City Council is already on record in a very similar fashion, and that is the problem that existed with the Pittsburgh Sports Federation which, although it is a different issue, this is an organization that this City Council and Administration created to help not only promote the city, but specifically targeting major sports events and sports attractions to try to garner additional events for the city. They, unfortunately, had the same problem as the Pittsburgh Film Office; they were not successful in getting the moneys that Mr. Cohen talked about in terms of our rightful share back to this municipality from the hotel tax revenue, and this City Council unanimously out of resolution that I had introduced funded the Sports Federation \$200,000.00 with the provision that once the hotel tax issue is resolved, we would be fully

reimbursed through that source of revenue.

I support the general intent of this legislation. In fact, unlike many other development organizations I can think of, including many that have a larger and a lot bigger budget than the Pittsburgh Film Office, the Pittsburgh Film Office has, in fact, been an organization with a very low budget, but with a very high yield for this city. Mr. Cohen has rightfully pointed out the facts and figures that are contained in the documents from the film office. They are to be commended.

I just want to be clear on the final format of this legislation, whether we front fund the 67,000 or the full funding, I have no problem with. My concern is we word this resolution in final form in such a way as to be assured that we are fully reimbursed from the source of money that is our money.

I am a little bit upset about the actions of the County Commissioners. When the State Legislature raised, rightfully so, the hotel tax fee, that money was to come back to county government and then be returned to municipalities and returned to agencies that have a vested interest and whose mandate is to promote the city and county. I can think of no other organization obviously more worthy than the Pittsburgh Film Office. But that is our money. All these hotels in the downtown here in the City of Pittsburgh, the Sheraton, and in Oakland, these hotels produce the money that has benefited and increased the pot of money at the county level.

I am voting for this, but I want my money back from that hotel tax money. We need it for the Sports Federation, we need it for the film office and any other worthy organization that we have to promote this city. I am fully in support of this legislation.

I have two concerns. One is that we modify it come Tuesday to clearly state -- because we are in a legal battle, I don't want to be in one courtroom arguing that that is our money rightfully so, but we were able to just front fund it. We can front fund it, but I want to make sure we get our money back. Secondly, there is an issue regarding the fees. It is true that many of these companies do reimburse the city for indirect costs associated with Public Works, Public Safety, police, EMS, things of that sort. I do think it is reasonable, as many other communities have done, to suggest reasonable fees, but I don't think that is something that should be confused on this issue. I think between now and the end of the year in terms of the budget deliberations we should look at and examine this issue of indirect cost recovery and fees associated with the industry. I think, as Mr. Cohen stated, that these are issues that we can deal with long range. We need to immediately deal with the sharing and continuation of the film office.

But I would hope that we can, Mr. Cohen with your support, modify this to clearly state the issue of the reimbursement come time of the county paying their shares they rightfully should be doing.

Mr. Cohen:

Just a brief response on that and then we will go around. I would consider that a friendly amendment, that will be fine, for reimbursement. But one thing I want to make clear: I don't want this money to be conditional. I think we should go straight ahead and put the money on the table and say, "Here is a challenge to the county and state to do the same thing." We are not conditioning this money on that. I think we should put our money where our mouths are, but at the same time, reimbursement is fine once those hotels proceeds are coming through.

Michelle Madoff:

Have you received the petition? Point of order.

Mr. Cohen:

I haven't received that petition, no, I have not.

Michelle Madoff:

That ought to be in the record, No. 1, before we go ahead, because I think it may affect what is happening today. Did you see the letter? Did you get a copy yesterday?

Mr. Cohen:

I got a copy of a letter, but I didn't see that petition.

Michelle Madoff:

Make sure that is on the record.

Mr. Ferlo:

I want to conclude by saying Canise Kennedy will kill me, she is out in the audience, my best friend, and if I don't vote for this she will kill me.

(Deleted text.)

Mr. Cohen:

Well, what both you and Councilman Ferlo are raising is actual film producer's paying a fee to the City of Pittsburgh. Just so you know, in Pennsylvania there are two other film offices that I know of; in Philadelphia, and Harrisburg. Both of those have been funded through public money by the state. I think it is a great idea -- well, I think we could discuss and work out a means of getting a fee from the film producers. But

first of all, I want to make sure that isn't a dis-incentive for those films producers to come to Pittsburgh, but secondly, that would take a fair amount of time to work out. I would be happy to meet and work that out. This is kind of an emergency measure.

(Deleted text.)

Mr. Cohen:

One thing I would suggest maybe is that we talk with Robert Curran and other people in the film industry to see if that is possible.

Mr. Onorato:

Thank you, Mr. Chairman. First I want to thank Councilman Cohen for introducing this legislation today. I recognize the importance of this industry. I know in my district alone several films have been filmed on the North Side and I know local business owners that have benefited from these companies filming on the North Side because they use a lot of the local vendors. It is a small amount to pay, \$67,000.00, for the benefits this city receives for all these films being filmed in this area.

I would like to point out that this body here takes a lot of criticism for a lot of different reasons in the press, but it seems as this body is the body that people come to when their backs are against the wall. I have been here 15 months and I can't tell you how many groups showed up here because they were ready to be cut, lose their funding, and ready to go out of business. It is this body that always responds to keep them there, and it looks like this body is going to respond again with \$67,000.00.

At a time when we are trying find regional funding, trying to balance our budget and hire police officers, it gets very frustrating when the state cuts funding and we are doing something hoping that the county and state pitch in. I would hope that this will trigger support from the other two governmental levels. But this is something that everyone in this room can help us with, too. I don't know if you have lobbied both groups yet, if you have gone to their meetings -- they meet monthly over there -- or if you talked to the State Reps, but we need to put the pressure on to show that we need this money. This doesn't just benefit Pittsburgh. There have been films up and down the Ohio River Boulevard on 65 outside the city, small municipalities benefited along with the City of Pittsburgh. This is a regional company that benefits every one of us here. I would ask for your help, too.

Mr. Chairman, I would also like to ask you by final vote on Tuesday if we could have something in writing from -- I know Chris McNalley is running with the ball at the state level, and

maybe a letter from the Commissioner's office just in response to what they feel they can do or where it stands of matching our funding or sharing the revenues, because I would like to have that in front of us at this point so everyone knows by Tuesday that if the \$67,000.00 is what you are going to have to have for one year or we see the light at the end of tunnel, because at this point, I don't know what the answer is and I would like to see that.

Mr. Cohen:

It is a good idea. What may work is what I would like to do, is be able to send a letter saying that, "Council gave preliminary approval for this money, it is a challenge grant, we request that you do the same," and see if we get an answer.

Mr. Onorato:

Sounds good.

(Deleted text.)

Mr. Cohen:

Let me address that immediately.

Yesterday I received a petition that asked for Council to table and stay the upcoming funding. It did not ask for a public hearing. This is what I received yesterday, and I will show it to you, it asks for a 60 day delay. It didn't have 25 signatures, and Mike Perry can speak to this, but it wasn't valid. Today, five minutes ago you handed me a petition. I hadn't received this before. This petition does ask for a public hearing. Mike says it is invalid, I would be happy to have him speak to it.

But let me tell you where I stand on this. I would love to have a public hearing on this. I don't want to hold up this vote today, but I would be happy to have a public hearing, and if there is anybody that has any dispute over this -- by the way, this is not getting involved in any way in a labor dispute, this is just continuing the funding for it. Anyone that wants a public hearing, that is great. You just gave this to me five minutes ago.

(Deleted text.)

Mr. Wagner:

Mr. Chairman, members of Council, I fully support Bills No. 2139 and 2140 and I simply want to compliment the Pittsburgh Film Office and the Office of Promotion for doing an exceptional job in recent years in terms of putting the City of Pittsburgh on the map in the film industry. I know Councilman Cohen and others have talked about the benefit to the City of Pittsburgh

in excess of \$100 million in revenue generated within this city and this region in the last several years. That is equal to what the Pirates contribution is to this economy on an annual basis.

The film industry may be the fastest growing industry in the City of Pittsburgh, especially in the last three to five years. It has also been an excellent marketing tool for Pittsburgh, and I have been a strong proponent of this city marketing this city better than it has. While all of you have become a natural entity to market Pittsburgh through films and attracting people to Pittsburgh in the filming of these films, people that sometimes have never been here before and certainly have left Pittsburgh and have gone back to other areas of the country and the world with very positive messages about what this city is all about.

Again, I want to compliment everyone involved, the film office, Robert Curran, Mary K. Poppenberg, all of you out there today, and especially the residents of the City of Pittsburgh who have been extremely cooperative in the films that have been made in this city. This very Chamber that we are in today, it has been utilized at least twice for films in recent years, the same with the lobby of the City-County Building. So I really believe that this city has done an excellent job in really putting this industry on the map in Pittsburgh and I can't compliment all of you enough. The 67,000 is a minor pittance in comparison to the benefit to this city.

I also compliment my colleague, Councilman Cohen. One of the few responsibilities of the Council President is to appoint a Councilmember to various entities in the city and I appointed Councilman Cohen to the Pittsburgh Film Office board as a representative of City Council, and obviously he has been a fine representative because he has brought to the forefront an important issue that should be in the forefront, and if some level of government does not take a lead position, the other levels of government won't. I am proud that City Council is doing that. Thank you.

(Deleted text.)

Mr. Ferlo:

I want to ask Director Turner or someone from the Mayor's office a question.

I think we need a clarification. It takes two to tango, folks, and City Council can do a lot of things, but I think we need some direction from the Administration on what their intent is once final action is taken on this bill.

Mr. Hayllar:

We support the bill. It recognizes that it is not the

city's job to assume responsibility for larger units of government like the state, which is the problem that has happened, and it does effectively and creatively deal with the issue of saving a valuable entity. We believe that the county at the very least, and from our conversations with the state, we believe ultimately the state will also come forward, and this is the first step, and somebody has to take it, so it might as well be City Council in the City of Pittsburgh. We hope that this solves the problem and solves it very soon.

Mr. Ferlo:

In approving this in the format or even the amended version on the reimbursement, this in no way is diminishing our argument all along that we want full funding and return of the hotel tax money for promotional groups like the Pittsburgh Film Office. I want to make sure we don't have a mixed strategy here.

Mr. Hayllar:

No, and they are separate issues, but we agree. We, unfortunately, got into a litigious situation about the hotel tax. But in the meantime, entities such as this must be preserved and be able to go forward.

Mr. Ferlo:

Just in closing, I think there are two issues that need to be looked at, but as Mr. Cohen articulated earlier, these are issues that are longer range. The fee issue I think should be looked at over the summer months into the fall budget deliberations. I think we need to sit down and look at not only what indirect costs are recovered for Public Works, Public Safety, EMS, but Mr. O'Connor's notion of some reasonable fee. Those are longer range issues that I think we can look at.

But I would alert this Council, and to my colleague Michelle in particular, when you look at the Water and Sewer Authority administration, city government, we basically squandered \$2 million on the hydro-electric power plant proposal. Here is an organization --

Mr. Hayllar:

You supported that, Jim.

Mr. Ferlo:

No, I didn't vote for that. Director Hayllar, I would ask that you look back at the minutes and you will see that I vociferously opposed this Council amending the agreement for the Water and Sewer Authority. I want to make sure the record is clear, which I will produce on Tuesday.

My point being that I am glad that the Administration has finally come to the table and is being supportive of an issue that has been generated in this Council. But I want to be also clear that what we are talking about is basically not a lot of money, in terms of what I said earlier. It is a low budget organization that yields a high return economically. As we look around the city, we have invested lots of money and seen very little yield in return.

(Deleted text.)

Mr. Cohen:

That completes discussion. Let me just make one very short point here. This is not a loan, I want to make it very clear. This is a grant, not a loan. I think it should be in the form of a grant, because we get a tremendous return for our investment on this money. I don't think we should be asking the film office to pay the loan back. I do think --

Mr. Ferlo:

I am not talking about the film office.

Mr. Cohen:

I was responding to Michelle. I do think we should be getting reimbursement on this.

I also just want to thank everybody from the film office who took time out of their busy day to come here and be in support of this bill. I appreciate it very much

(End of remarks.)

(Transcribed by Helen L. Kriebel, Stenotype Reporter)

Also,

Bill No. 2141

An Ordinance entitled, "An Ordinance supplementing the Pittsburgh Code, Title One, 'Administrative', Article VII, 'Procedures', Chapter 161, 'Contracts', by adding a new section 161.26, 'Employee Benefit Administration'."

Which was read.

Also,

Bill No. 2142

A Resolution entitled, "Resolution amending Resolution No. 722, to add Sections 2 and 3, entitled 'Providing for an Agreement or Agreements with various agencies for the implementation of the Pittsburgh Partnership and for the payment of the costs thereof.'"

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. O'Connor
Mr. Darkins	Mr. Onorato
Mr. Ferlo	Mr. Ricciardi
Michelle Madoff	Mr. Wagner
	(Pres't)

AYES 8

NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Also,

Bill No. 2150

A Resolution entitled, "Resolution providing for the issuance of a warrant in favor of Public Strategies, Inc., One Bigelow Square, Suite 616, Pittsburgh, PA 15219, in the amount of \$1,600.00 in payment for professional consulting services rendered to Councilman Eugene Ricciardi for the month March, 1993."
—(SPONSORED BY MR. RICCIARDI)

Which was read.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

They ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. O'Connor
Mr. Darkins	Mr. Onorato
Mr. Ferlo	Mr. Ricciardi
Michelle Madoff	

AYES 7

NOES 1

(MR. WAGNER VOTING NO)

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Also,

Bill No. 2163

A Resolution entitled, "Resolution providing for the issuance of a warrant in favor of Helen Hull Consultant, 719 Singer Place, Pittsburgh, PA 15221, in the amount of \$300.00 in payment for professional consulting services rendered to Councilman Duane A. Dakins for the month of February, 1993." ---**(SPONSORED BY MR. DARKINS)**

Which was read.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. O'Connor
Mr. Darkins	Mr. Onorato
Mr. Ferlo	Mr. Ricciardi
Michelle Madoff	Mr. Wagner
	(Pres't)

AYES 8 NOES none

And there being two-thirds of the votes of Council being in the affirmative, the bill passed finally.

Mr. Darkins presented

Bill No. 2237

Report of the Committee on Public Works for March 31, 1993 transmitting one resolution to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 2143

A Resolution entitled, "Resolution providing for a Contract or Contracts, or the use of existing Contracts for the design, lease purchase and installation of high pressure sodium street lighting for the Department of Public Works, for a period not to exceed five (5) years; and providing for the payment of the cost thereof."

Which was read.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. O'Connor
Mr. Darkins	Mr. Onorato
Mr. Ferlo	Mr. Ricciardi
Michelle Madoff	Mr. Wagner
	(Pres't)

AYES 8 NOES none

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Mr. Ferlo presented

Bill No. 2238

Report of the Committee on Planning, Housing and Development for March 31, 1993 transmitting one ordinance and sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 675

An Ordinance entitled, "An Ordinance amending the Pittsburgh Code, Title Nine, Zoning, by providing a definition, use exceptions and regulations for a bed and breakfast type of occupancy with four to ten guest rooms as a Conditional Use Exception in all 'R' Districts (except R1 and R1-A), I-C, A1, AP, C1 and C3 Districts, and with one to three guest rooms as a special exception in all 'R' Districts (except R1-A), I-C, A1, AP, C1 and C3 Districts." (AS AMENDED IN COMMITTEE)

Which was read.

Mr. Cohen:

I would like my comments brought forward on this bill.

Mr. Ferlo:

I would also like my comments brought forward.

(REMARKS ON FOLLOWING PAGES)

(MESSRS. FERLO & COHEN'S COMMENTS ON BILL NO. 675 - 3/31/93)

Mr. Ferlo:

Mr. Chairman, with your permission I would like to make a motion on Bill 675, that we substitute the bill with the Planning Commission's final report and recommendation to Council, which is further discussion, debate and modification of the original bill. So then we are actually voting on what the Planning Commission gave unanimous approval to.

Mr. Cohen:

If I may, how does that differ from what you had here? This is your original bill here (indicating)?

Mr. Ferlo:

As you know, Mr. Cohen, my bill is evolving into something different than it started out to be.

Mr. Cohen:

I understand that. But your original bill is what is on here and you want to substitute what the Planning Commission approved?

Mr. Ferlo:

Yes. The actual vote should be on the final affirmative recommendation from the Planning Commission, 675, which I believe Mr. Perry has.

At this time I would ask that we support the legislation, all three bills. The 675 legislation is the amendment to the Zoning Code which has been hotly debated constructively in this Chamber, several times before the Planning Commission, and that is the actual Zoning Code amendment. The other two bills have to do with creating a licensure fee requirement where smaller B&B's, per the advice of the Commission and BBI, would be charged a \$100.00 fee, the larger B&B's a \$300.00 fee. I suggest we start at that point, but later on this year when we entertain budget deliberations we try to get a further clarification from the Administration on whether or not a higher fee would be appropriate. But in order to do that, I think we need to be able to justify. As we all know, fees have to be commensurate with the licensure costs and enforcement. We can't raise money from those fees, they have to relate to the actual expenditures of city government. So I would ask that we start out at that point and give consideration with BBI and the finance office or the budget to review more fully at the end of the year whether or not those fees should or could be increased. And the other bill has to do specifically with not having

this revenue get lost in the shuffle in the city operating budget, but have that revenue go specifically into a trust fund to assist Building Inspection on Code enforcement. That revenue, recognizing that we don't even have that many B&B's in the city and given the stringent nature of these zoning bills, it is questionable about how many B&B's we will have in the future because of the lengthy process that is spelled out. Those moneys are meant to be ancillary to the already existing financial resources that we give Chief Cimino and BBI. It was never implied that only those dollars would go to support Code enforcement. We have upwards of 30 odd number of Code enforcement officers in BBI. These moneys are meant to be complimentary and to assist the enforcement provisions and activities.

At this time I would like to call Chief Cimino to the table. I am concerned that when we pass legislation, that we can reasonably be expected that the Code enforcement officer in particular, since he is on the hot seat, but the Administration in general takes our measure seriously and is reasonably prepared to make best effort enforcement to these bills.

Chief, I want to be assured that on this bill or any other kind of zoning bill that we, in effect, have your assurance that you will make your best effort to enforce the provisions of this ordinance.

Chief Cimino:

I think as always we certainly will put forth the best effort we can to enforce all the ordinances that end up being sent to us for enforcement.

Mr. Ferlo:

Chief, let's pick a scenario where there might be a pattern of abuse, either established by City Council or Councilmembers who are very attuned to their district or neighborhood residents, adjoining property owners, because again, we have a licensure provision which I think is strong because it involves a suspension revocation of a B&B if there is clear documentation that there is a problem. If there is that kind of presence, I would hope that the additional resources that are needed by BBI, whether it be having to come out at 5:30 in the evening or what have you, per the advice of Council, that those kinds of enforcement capabilities be committed in order to ensure the effective enforcement of this legislation. I am not saying you have the ability to go out on every single problem that confronts your department, recognizing that you deal with all the Building Code and renovations and all that. We want to be reasonably assured that where there is a clear pattern of abuse that we actually have -- I mean, a Councilmember could be out there noticing an abuse but we don't have the power of enforcement and we want to be reasonably assured that you will

work with us and community groups, as you have so many times in the past to ensure enforcement.

Chief Cimino:

I think what you mentioned there, Councilman, that Council does not have enforcement power, but if you can go out there and look at the situation, I certainly feel legally we could bring that case in to court on that particular testimony from the particular Councilmember.

The only problem I would like to mention with the enforcement, I don't like to commit to enforcement on a 24 hour basis, mainly because of not so much the cost, but what is it an emergency? We are on 24 hour emergency call. I think everybody at this table has witnessed us out, myself personally, at the scene of disasters in the middle of the morning or weekends.

The problem I would have is a complaint being called in that there are two cars, vehicles parked out front. Is that an emergency for us to respond with an inspector to come out to check a complaint such as that? As far as over-occupancy of the building as we are talking about in the bed and breakfast, that certainly can be done. But I am just concerned with the complaints coming in of activities being conducted. It is pretty hard to discover at the time.

Mr. Ferlo:

That is no more or less the case with every other hundred odd provision that we have in the Zoning Code. It is always going to be a question of available resources, what the priorities are. Obviously, I have seen you many times, Chief, in the middle of the night, on TV, at some fire when some building is coming down, to your credit. I don't think this Council, nor even the critics, are saying that building coming down or a major fire in the middle of the night is the same priority. Well, maybe some of them would say, but I don't believe it is the same priority as some of the other suggested enforcement activities of BBI.

But we want to be reasonably assured that you take seriously the effect of this legislation and that you have available resources to ensure effective enforcement. We can ask you to do no more or less than your job, and that is basically what I am hoping to get

Chief Cimino:

I can guarantee you that will occur.

Mr. Ferlo:

I have known you to be somebody who has been real up-front with Council and the public about what you can or can't do. I

just want to be assured that where there is clear pattern or there is a problem, that you will work with Council.

Chief Cimino:

I certainly will.

Mr. Cohen:

Any other questions? I have some, also.

(Deleted text.)

Mr. Cohen:

Let me ask you a couple questions about how this law is currently being enforced, because there is a larger provision and it is the city's view that that larger provision applies to some bed and breakfasts, like the B&B at Maple Heights Road, for example.

How is that larger provision now enforced? Do you have the power to revoke a permit under that provision?

Chief Cimino:

Yes. The occupancy itself, if we find that an establishment is in violation of the zoning approval, yes, we have a right to cite them. We also have a right to revoke the Certificate of Occupancy.

Mr. Cohen:

Have you ever revoked a Certificate of Occupancy for a bed and breakfast?

Chief Cimino:

No, we haven't.

Mr. Cohen:

I shouldn't say bed and breakfast, but under the larger provision that currently exists?

Chief Cimino:

We revoke certificates of occupancy in issue violations every day of occupancies.

Mr. Cohen:

For a facility under the larger provision?

Chief Cimino:

Any type.

Mr. Cohen:

I am asking you about one type.

Chief Cimino:

Largers, I can't say we do it every day, but yes, we are involved where they are in violation of Certificates of Occupancy, whether we call it lodgers, roomers or multiple units.

Mr. Cohen:

Okay. You had discussed a little bit about being able to enforce or monitor after working hours, and I want to clarify that more. What Councilman Ferlo is doing on one of his bills, the one that I support, is creating a trust fund to have the fees for bed and breakfasts be placed in that trust fund to allow the Bureau of Building Inspection to enforce it. Are you able to enforce after hours and on weekends?

Chief Cimino:

Yes. But again, as Councilman Ferlo mentioned, I am up-front with Council, and this is what I want to state: We would respond to a complaint. Now, in the case of bed and breakfasts, are we to give my telephone number on a 24 hour basis to an individual that wants to file a complaint out there?

Mr. Cohen:

I wouldn't ask that.

Chief Cimino:

This is what I am asking: What complaints are we going to respond to?

Mr. Cohen:

I am really not coming at you with anything, I just want to know what you are able to do under the trust fund. Not you personally, of course, but the Bureau of Building Inspection.

Chief Cimino:

Again, if this is considered an emergency if somebody may have too many people at that particular dwelling in the middle

of the night, then how are we going to be contacted other than through communications? If it is an emergency, yes, we will respond to it. I am just trying to get it clear that when does it become strictly harassment on the part of the complainant calling in?

Mr. Cohen:

Chief, you are answering a question with a question. I guess that is the very question I am asking you. Well, maybe it would be easier to put it this way: Has the Bureau of Building Inspection come out to bed and breakfasts on the evenings or weekends?

Chief Cimino:

We have never had a call to my knowledge. We have had a call or complaints after the fact that something occurred, we followed it up. But personally, I don't think we have ever had a call after the hours stating that there was a violation, no, sir.

Mr. Cohen:

What are the procedures that BBI goes through to actually revoke a license? How does that work?

Chief Cimino:

Again, they would have to be cited and notified that they are in violation of the Certificate of Occupancy. If they fail to comply, then we certainly would have every right to revoke it.

Mr. Cohen:

There is no hearing board or something like that? It would be your decision?

Chief Cimino:

If it is going to be under Title 7, then anything under the business licensing would be appealable to the license officer. If a revocation occurs under either Title 9 or Title 10 the Building Code, then the only appeal would be either through the Zoning Board of Adjustment, if it was a Title 9, or through the Board of Standard and Appeal if it was under 10.

Mr. Cohen:

If this bill passes and there is a complaint and, say, a series of complaints to the point where somebody wanted to

revoke the license, they would go to BBI, right?

Chief Cimino:

Right.

Mr. Cohen:

Would you then have full power to do that or would you have to go through the Zoning Board?

Chief Cimino:

No. We would have the full power under Title 7 to revoke license, any license under Title 7 would be revocable strictly from me and then appealable to me as the license officer.

Mr. Cohen:

Okay. If this bill passes, do you feel that BBI has enough person power to be able to enforce this not only during the day, but in the evenings and on weekends?

Chief Cimino:

We definitely have enough personnel to do it, because I wouldn't anticipate that a violation of that is going to be occurring every day of the week. So yes, we certainly would have the manpower to enforce it.

Mr. Cohen:

Would you send people out in the evenings and on weekends?

Chief Cimino:

Again, yes. But how would we respond to it? How would we be contacted, is my point I am trying to get across.

Mr. Cohen:

All right. Thank you. Any other questions of Chief Cimino? Any discussion of the bill?

Let me state my position on this. I think it is pretty clear by now.

I am going to support the first bill that establishes the trust fund, because I think that makes sense and that trust fund will allow the resources to give BBI the ability to enforce this. Personally, I don't think this is enforceable, I really don't, but that will remain to be seen if this passes.

What I said at the public hearing -- and I will be brief here -- is I support bed and breakfasts, they will be great for

the city. They can be charming, but at the same time it is a business enterprise and these are put in neighborhoods. I didn't support the original bill, although Councilman Ferlo and I worked on a number of amendments, I didn't think it provided enough protection. The Planning Commission, in my view, has weakened this bill further because of not allowing for enforcement of perceptions outside the bed and breakfast, lowering the fees, treating "R-1" different from "R-1A" and the enforcement problem. So for that reason, I will be voting against the bills that come from the Planning Commission, but in favor of the trust fund.

Okay. You moved to amend by substitution, Mr. Ferlo, Bill 675, so we have to vote on amendment by substitution and then vote on all three bills.

(End of remarks)

(Translated by Helen L. Kriebel, Stenotype Reporter)

The Chair:

Is there any further discussion on the bill?

And on the question, "Shall the bill pass finally?"

They ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Ferlo	Mr. Onorato
Michelle Madoff	Mr. Ricciardi
Mr. O'Connor	Mr. Wagner
	(Pres't)

AYES 6 NOES 1

(MR. COHEN VOTING NO)

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Also,

Bill No. 2146

A Resolution entitled, "Resolution authorizing the Urban Redevelopment Authority of Pittsburgh to enter into a Grant Agreement with South Side Local Development Company for an amount not to exceed \$72,000 under the Neighborhood Housing Fund."

Which was read.

Also,

Bill No. 1978

A Resolution entitled, "Resolution approving a Conditional Use Exception under Section 993.01(a)A(8)&(26) of the Pittsburgh Code, Title Nine, Zoning, Article V, Chapter 993, to

Allegheny General Hospital located at 320 East North Avenue for authorization to construct a two-story addition above the existing two-story Northwest Wing/Emergency Department and a three-level parking facility that includes a relocated helicopter landing area on property zoned 'I-M' Institutional-Medical District, 22nd Ward."

Which was read.

Mr. Onorato:

On Bill 1978 regarding the expansion of Allegheny General Hospital, this morning, and I apologize for being so late but that's when we had it signed, I passed out a copy of the agreement to all of my colleagues in your office. If you didn't see it, it's in there. But it should be noted that the community groups signed the agreement and Allegheny General Hospital signed the agreement that both groups agree that we should go forward with the expansion.

It's been over ten years since that helicopter started on the North Side and until this date there was no agreement and it's always been a source of problems for the North Side. There's been a North Side partnership with the hospital over the years and with that partnership everyone agreed to leave the helicopter on hold, the issue over here. But finally with this expansion we are forced to deal with it. Both sides dealt with it, they both compromised, we have a very good agreement and I have copies for anyone who wants to see it. It appears that Allegheny General Hospital's \$43 million expansion will go on as planned without any fight from the community groups that signed this agreement. And, at the same time, the community will receive a benefit for the helicopter run area and the hospital recognizes that the helicopter does cause a problem in certain areas and that they will address and mitigate the problems.

So, stating that, it's a great agreement, it's a good day for the North Side in the City of Pittsburgh, and let's move on with the expansion.

The Chair:

Thank you. Good job.

Mr. Ferlo:

In response to some of the things that Mr. Onorato said. I just want to thank him for what I know probably was days of legislation and days of trying to negotiate with not only the community but with the hospital administration and their various attorneys. I think we all owe him a big thank you, especially the community.

One of the other reasons I'm impressed with this agreement, it's probably going to have more longer range meaning, not just for the North Side but in my area with St. Francis and West Penn Hospital. I think every one of our Council Districts has a major institution and I think it should serve as sort of a blue print of how we need to have formal relationships with these various hospital administrators that when they need the support of this Council and the public for major expansion that they ought to have an up front and open policy with the community, including their land acquisition around the City. I just think that this agreement that has been worked out really helps all of us in our future relationships and negotiations with large institutions in our community. So I just want to say thank you.

Mr. Cohen:

I'd also like to commend Councilman Onorato for his putting together that agreement with Allegheny General Hospital.

Also,

Bill No. 2125

A Resolution entitled, "Resolution approving execution of a Contract for Disposition of Land by and between the Urban Redevelopment Authority of Pittsburgh and Carnegie Mellon University for the sale of Parcel 2, Subdistrict 1-West in the Fourth Ward of the City of Pittsburgh in Redevelopment Area No. 50 (CONSTRUCTION OF RESEARCH CENTER)."

Which was read.

Mr. Cohen:

Let me speak for a moment, if I could, about Bill 2125. That's the CMU building, the Research Institute at the Pittsburgh Technology Center.

As you know, we've had some discussion over the child care requirement for that building and I want to tell you that we've reached a resolution of that issue, at least as far as I'm concerned. That will be up to the rest of Council to decide.

Let me make a couple points to begin with. First of all, I don't agree at all with what the Planning Department has provided City Council. They've basically said two things and they're contained in the memo from Mr. John Ram to Mulugetta Birru, the Head of the URA. First of all, it says that the CMRI Building, that's the CMU's Research Institute, is not required to provide space for a day care center because the building was approved before the day care ordinance was introduced to City Council. I completely disagree with that statement, I think most of us do, that we are in fact approving that Research Institute now and we can't say that just because the Planning Commission provided a permit for them prior to this that the day care ordinance doesn't apply.

The second thing that it said in this memo is that because of lab space that is in that building, the eligible square footage is 55,000 square feet rather than the 89,900 square feet. I disagree with that too, that, in fact, if you look at the legislation, the child day care legislation, it doesn't exempt lab space at all. Here it is on Page 5. It exempts animal and laboratory supply storage space. That's not laboratory space and it's a much smaller space, of course. It's for the storage of equipment, and that makes sense because you wouldn't want to apply storage space to a building for child day care because people don't work in storage space. But they do work in lab space.

So, I'm not happy at all with the Planning Department. The same Planning Department, by the way, of course, that drafted the child day care ordinance and you would think would be an advocate for that child day care ordinance. They were anything but an advocate.

That having been said, even if all of the lab space that was in there is counted towards the child day care ordinance, they still would be 100 feet shy. I agree with that, I understand that, and that we can apply the child day care ordinance to that building.

So, I've had discussions, negotiations with Mr. Patrick Keating who is the Vice President of CMU and the result of those negotiations are in front of each of you in the form of a letter from him to me. And what CMU has committed to here is to expand the child day care center on their campus. I think, by the way, they have an excellent program on their campus now. The facility, however, is not a great facility and it's to capacity.

But what they say here in the letter is that "We plan to build a new child day care facility on the greenspace between Mudge Hall and

Morewood Gardens. We expect this new facility to provide 20,000 square feet of new space for our child day care program and it will cost between \$2 million and \$2.5 million. As you know, Carnegie Mellon is currently undertaking fundraising efforts for several major projects. We anticipate that we will be able to begin fundraising efforts for this new child day care facility in April of 1994. We will use our best efforts to raise the necessary funding in order to break ground for this new facility by April of 1996 and complete construction by October of 1997."

I think that that is a fair resolution of this matter of child day care with regards to the Carnegie Mellon Research Institute. It's a terrific research institute, of course, or will be. A couple of us, Councilman O'Connor and I, were at the ribbon cutting for the Pitt Building, the Bio-Technology Center, that was just recently constructed, and I think that this CMU Research Institute will be a terrific compliment to that on our Pittsburgh Technology Park.

So, I think we should go ahead and approve this building with the commitment that we've received from CMU to build a new child day care center on their own campus. Thank you.

Michelle Madoff:

I'm sort of speechless which isn't something that happens to me too often.

For the record, Councilman Cohen, are you saying that you negotiated the fact that between Mudge Hall and Morewood Gardens there will be a child day care facility costing \$2 million and \$2.5 million? You negotiated this?

Mr. Cohen:

No, what I'm saying is that they had plans on their books -

Michelle Madoff:

You didn't say that. I just wanted to clarify that.

Mr. Cohen:

But this is very different from the plans that they had on their books. They have never put it in writing, first of all. And secondly, they never put any time frame in writing and the plans on their books were for a lesser space than this here. So, yes, I think that we were able to get some more out of CMU to be able to resolve this.

Michelle Madoff:

Well, I had a discussion with the President, Dr. Marabian, personally, and he was appalled that this Council, as I felt, was putting a shadow over the good work that they've done in child care and being a leader in the child care field, and I won't use the words he used but they were appropriate. They were not four letter words but they were outraged.

The point that I'm making is that I cautioned Council, and I think it reflects in the records, that let us not judge until we get the facts. And the facts are, because I had spoken previous to our meeting and voting, that indeed they already had plans on the books and they were leaders in this field and they had one of the finest programs and they were proud of it. And I think it's unfortunate that we singled out some information that may or may not have been, I don't know, whether indeed there was a short follow space. My inclination is no because if you work around labs or if you've been anywhere near labs, they are not high density populated places. The lab space indeed is not like office space where you're going to have a desk every few feet. You don't have somebody working every few feet.

I'm not making excuses. I'm just saying that this is a leader, somebody who has cared about our children, somebody who set the pace, who has been an example. And for us to chastise them or imply that they were dragged kicking and screaming to the bargaining table is unfair. I think they already had plans on the books.

I have no quarrel with the fact that you say you now have it in writing. My sense is that if we had asked them for it in writing, we would have had it without pinpointing or pointing fingers at them and I think it's unfortunate that we did that.

Mr. Cohen:

If I could respond, please. I have not chastised CMU whatsoever. I think that that is completely unfair. I had a personal conversation with Dr. Marabian at the ribbon cutting for the University of Pittsburgh Bio-Tech Center. We actually had a very good discussion about it. Those things that you mentioned about Dr. Marabian, he never mentioned to me and I think that he is very much an honest and open person and I'm sure that if he was upset about this he would have told me.

I have not chastised CMU about this. I have chastised our own Planning Department about this because they have not been, in my view, a good advocate for our own child day care ordinance.

If you had listened to me, Michelle, you would have heard --

Michelle Madoff:

I listened very clearly. We can get the transcript if you'd like.

Mr. Cohen:

If you had listened to me, you would have heard that I said that CMU has a good program but that their facility is tight. And if you go and look at that facility you'll see it, that they are up to capacity and that they need more child day care center space. We discussed that. Pat Keating told me that they had plans to do that but there were no specifics in writing. This got those specifics in writing and I think that it's a good resolution.

I have certainly not chastised CMU and I think that's a completely unfair description of how we've dealt with this issue.

Michelle Madoff:

May I respond, please? If we were to get the transcripts from the earlier meetings, there isn't anybody here who doesn't have fairly good hearing. You said, and I don't think you would deny that you said, and you said it again today, that the square footage comes in a little short of our ruling and therefore you question whether it was a deliberate intent. You've questioned that several times. That is a matter of record. The transcripts can be pulled and we'll read them here if you like.

I think it was unfortunate to take that approach until we had checked with them and said what are you planning to do. And I think what you would have learned was that, indeed, it was already in the works.

Mr. Ferlo:

First of all, I don't think Mr. Cohen should be chastised for trying to shepherd what was good public policy and that is the passage of a child care bill.

I don't want to get into all the details of CMU but as a footnote, and I think we should

direct a communication back to the Planning Department to relook at the ordinance itself. I think there should be a review of that ordinance as it relates to the issue of laboratories per se, especially recognizing that laboratories often times it is conceivable that in a building that is housing various types of hazardous materials and/or gaseous materials, that maybe a child care facility in fact is not the best place whether it's the 90,000 under the ordinance or a 200,000 square foot building.

So, I think maybe in passing this today we should ask that the Planning staff review that ordinance as it relates to this issue anyway. I question whether or not a child care facility could possibly be licensed by the State if it is located within a structure that is also housing some of the materials that conceivably will be housed at either CMU or at Pitt. And rather than have this debate come up in the future, I think we should strengthen and clarify the ordinance.

So, in approving this today, I think we should send a message to the Planning Commission and I will talk to Director Downing about reviewing that ordinance.

Michelle Madoff:

I think that would be relatively easy for Members of Council, perhaps Dan or yourself, a number of us who work around hazardous materials and know about them, to revamp the original ordinance and amend it.

I want it clarified that I have no problem with the fact that Dan Cohen is carrying the banner to have day care centers. For that I congratulate him. That was not my intent. I just think that sometimes we ought to get some information before we put something out in the public that really is damaging without having double checked. I think you would have found that.

Mr. Cohen:

Michelle, unlike you, I have not said anything whatsoever negative about CMU here. I have not. I have questioned it at the Wednesday meeting. It came in at 89,900 square feet. I remembered that the 90,000 square feet was what our ordinance required, and I questioned that. I did not accuse, and never have accused, CMU of intentionally circumventing this ordinance. I questioned our own Planning Department and you should be questioning them too.

Michelle Madoff:

I also think that we need to take that plan and redo it.

The Chair:

Let's move on.

Mr. Ricciardi:

I'll be very short on most of the things I have to say, Mr. Wagner.

I think we acted very responsibly in questioning the 89,900 square feet and any way that CMU tried to circumvent the law itself. It's just a responsible question to ask and I don't see any harm in questioning it.

If one really reviews the legislation, the question of lab space being exempt is very iffy. As a matter of fact, when I reviewed the legislation, I'm not sure if lab space was exempt.

So I think we did the responsible thing. I think Mr. Cohen's negotiations or talks with CMU were very responsible, and I feel comfortable in voting for it today. But I must say, when it first came up I did also question it because we did pass child care legislation here in the City

of Pittsburgh and, when we passed it, even the editorialists said, well, it doesn't really bring child care into the City of Pittsburgh because when are we going to have construction of 90,000 square feet or above. This is the first time we've had such large construction after the fact and I think we did the responsible thing in questioning it.

The Chair:

I agree, Councilman Ricciardi. I think the dialogue has been very healthy in regard to the issue. And also the dialogue with Bed and Breakfast that Councilman Ferlo has worked so hard on. And AGH that Councilman Onorato has worked hard on. There is some very significant legislation here today that Council is voting on.

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. Onorato
Mr. Ferlo	Mr. Ricciardi
Michelle Madoff	Mr. Wagner
Mr. O'Connor	(Pres't)

AYES 7

NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Mr. O'Connor presented

Bill No. 2239

Report of the Committee on General Services for March 31, 1993 transmitting one resolution to

Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 2126

A Resolution entitled, "Resolution authorizing the Mayor and the Director of the Department of General Services to enter into an Agreement with the Commonwealth of Pennsylvania Bureau of Blindness and Visual Services to provide food service in the Public Safety Building."

Which was read.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. Onorato
Mr. Ferlo	Mr. Ricciardi
Michelle Madoff	Mr. Wagner
Mr. O'Connor	(Pres't)

AYES 7 NOES none

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Mr. O'Connor presented

Bill No. 2240

Report of the Committee on Parks and Recreation

for March 31, 1993 transmitting one resolution to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 2147

A Resolution entitled, "Resolution authorizing and directing the Mayor and the Director of Parks and Recreation to enter into a Lease and Agreement with a nonprofit subsidiary of Carnegie Mellon University in connection with the operation and maintenance of the Schenley Park Golf Course." (AS AMENDED IN COMMITTEE)

Which was read.

Mr. O'Connor:

On Bill 2147 concerning the golf course, I'd like to thank my colleagues for their support. I know it was a very tough decision. Mr. Cohen worked very hard with me and the Mayor's Office, Mr. Turner. I think we drew up a very fair and good agreement with CMU. I feel they'll be very responsible in keeping the golf course basically the way it is and upgrading it.

You've certainly all made a lot of residents and golfers of not only the Schenley Park area but the City very happy with our decision. They're starting to use it. We also feel CMU will upgrade the course in future years and I think the key, and I heard from people all over the City, they key to keep the cost in line and to keep it user friendly to everyone using the park whether it be to walk, jog and golfing.

If everything goes well and we finalize it today, I'd like to take you up, Mr. President, on your offer tomorrow morning that you will caddy our first couple rounds and we can all go

tomorrow morning at 8:00 and tee off.

The Chair:

Thank you. I'll be there.

Michelle Madoff:

It seems to me, as I said earlier, we were caught between a hard place and a rock. And if it were a choice of closing down the golf course or having anyone who was credible manage the course, I think that was the right thing to do and therefore I voted for it.

If we're going to point fingers, and I think sometimes we need to do that, with all due respect to Mr. Cohen, sometimes I do that as well, it seems to me that the people who caused a great deal of embarrassment and I think abused and sends the wrong messages to people who contemplate doing business with the City, was the Administration in putting out and RFP, a Request For Proposals, getting proposals, choosing one, and then not even bothering to say we are rejecting all proposals and then going out and dealing with the third party.

That being said, we're at least getting the monkey off the back of the taxpayers. Hopefully we won't have to subsidize the City, the golf course, for something like \$250,000 a year. We won't worry about monies coming out of the till, sticky fingers.

But there are a lot of other things we're going to have to overview and watch and one of them, for example, if you turn to page ten of the proposal—

Incidentally, Mr. President, I think what you needed to do was to supplement this particular bill for the one that is in here because this is incomplete. The memorandum or the lease and agreement which arrived today is far more

detailed than what we're voting on.

But if we look at the one page we have the insurance and where it says liability, bodily liability, I believe, there is no figure. It's left blank. And I think that has to be filled in and I don't know if we should even be voting on it before that's filled in.

Page ten. It talks about general liability. Bodily injury including death. There is a blank and all the rest is filled in. And the most important one is indeed bodily injury including death. There's a blank.

As I've pointed out, we've never had a claim because with the 12 accidents in the last few years nobody has bothered to come back and ask for the difference between what the insurance pays and what the City would be liable for. I don't think they knew they could.

Be that as it may, we're still lucky that nobody was severely hurt, somebody sitting in a car where a windshield broke and somebody blinded or something. So, having this blank is a great concern to me and I don't know.

I don't want to hold up the bill because they're already out there playing. On the other hand, I think a memo has to go immediately to the appropriate parties, and I presume that's CMU and our City Planning, and find out what the figure will be. Will it be sufficient in case there is a real problem?

The Chair:

Are you offering an amendment, Councilwoman?

Michelle Madoff:

I don't know what the number should be. How can I offer an amendment? Should it be \$5

million? Should it be \$2 million? Should it be an umbrella? You know, you could have two accidents at one time. I don't know what the appropriate number is but we better have it before we wipe our hands of this issue.

Mr. Ferlo:

Just to clarify that, this resolution just empowers the Administration to enter into an agreement and has some specific language on what the agreement must contain, parameters. But the resolution doesn't actually adopt the tentative lease agreement that the Administration forwarded to Council. This is not, in fact, anything legal that we are adopting today. It would be a legal contract that the Administration, I assume, would have signed with CMU's non-profit group. But the resolution is just a broad boiler plate with specific parameters that must be included in this lease. But we're not, in effect, also approving this lease. This lease is subject to change. I believe it's not a signed lease or anything of the sort.

I just want to say that in voting no last week I made it clear that I felt that this was a good proposal but it was not the best proposal. I still very much feel that way. I do not think this is the best proposal for all of the City in terms of the golf course, in terms of revenue, in terms of maintaining the aesthetic quality of the park itself, and for other reasons too numerous to mention.

I would like my comments brought forward.

I do think that Council is acting in haste and rushing to judgement in approving the resolution today which, in effect, will also, I assume, at some point very quickly sew up the language of the lease agreement

So, in voting no today I want to make it

clear that I'm voting no because I felt that a better proposal had been submitted, a better proposal that an individual spent a lot of time and resources providing as a result of the Administration issuing a request for proposal, except for the issue of the for-profit nature of that proposal. I think any of the other objections could have been dealt with, including the issues of lighting and parking and things of that sort.

Obviously I hope that I'm wrong and I hope that this golf course, if it is approved, obviously it's going to be approved today, I hope that they, CMU and the non-profit, prove me wrong. I obviously would like to see the best course there and I hope that if it's not going to happen under the previous for-profit arrangement, I hope that it will happen sincerely under this arrangement. I would have preferred that if the for-profit nature in fact was not going to be supported by this Council or the Administration, I think we should have made that more clear early on.

Secondly, I do think at that juncture we should have made an effort to communicate to the County Commissioners that the County Commissioners do, in fact, run two other golf courses and I think that they should have been consulted.

I was mislead a little bit in the past. It was my understanding that the County was not interested in a subsidy to the City for the golf course. However, when I spoke to Mr. Kramer, his view was that while he would not favor a subsidy to the City if the City maintains the management of such a facility as the golf course, that didn't necessarily mean that they would not necessarily be interested in actually running and taking over the course. There's a distinction there.

I think we should have explored that more fully if and when a month ago or two

months ago or whenever we felt that we were not comfortable with the so-called Rosenbloom Proposal.

I think, again, this is a proposal made in haste. I am still very suspicious of CMU's agenda and some of the individuals that intervened only because of their opposition which has to do with personality politics and another issue involving a Phar Mor law suit, a law suit with Phar Mor, not far more law suits.

I hope that I'm wrong. I hope that this resolution proves me wrong but, again, it's not the best proposal that's on the table and I would have preferred that we redirected our negotiations with the County.

Mr. Cohen:

I would like my comments brought forward also.

I'm going to be voting for this today. I think that it's a good plan. I had laid out on Wednesday how this meets some principles that I had set up for deciding on the Schenley Park Golf Course and I think it meets all of those. The bottom line really being that it preserves Schenley Park and I have faith, actually, in CMU that they will run a good operation there.

I think that this is a good bill and I congratulate Councilman O'Connor and the Administration and everybody else in the neighborhood who worked so hard on this bill. Thank you.

Michelle Madoff:

Is there any provisos that is spelled out that we will have updates on a regular basis? I think that's going to be terribly important.

The Chair:

The Citizens Advisory Committee, I'm sure, will keep us apprised. Plus, a Member of Council will on the Citizens Advisory Committee.

Michelle Madoff:

Well, you know how those things work. Sometimes you meet, sometimes you don't. Sometimes you don't have a quorum. I don't know, I think we need to have some kind of a specific time frame every six months or at the end of every season or something that tells us what's happening so we can address it.

The Chair:

I think this will be a very outspoken group.

Mr. Cohen:

Also, with Councilman Onorato's amendment, City Council would have approval power over any major alterations or modifications. So, Council has participation in that issue too.

Michelle Madoff:

Just raised the issue.

The Chair:

I'd like my comments also brought forward on the bill.

Michelle Madoff:

Please bring my comments forward.

Mr. Onorato:

I'd like my comments brought forward.

(REMARKS ON FOLLOWING PAGES)

(MESSRS. COHEN, FERLO, ONORATO, WAGNER AND MICHELLE MADOFF'S
COMMENTS ON Bill No. 2147 - Wednesday, March 31, 1993)

Michelle Madoff:

Move for approval for discussion, and I hope we are going to have somebody here to explain the CMU plan. I want to make sure somebody is here to give us the plan before we vote on it. I would like to see it.

Mr. Chairman, point of order for the record. It is important to point out this is the first time we are going to have any indepth information about the CMU plan and I think that is important.

Mr. Cohen:

We have Jim Turner here and Reggie Young here from Parks and Recreation Department. Gentlemen, would you like to begin, please.

Mr. Ferlo:

Do you have anything in writing to share with us beforehand?

Mr. Turner:

Mr. Keating from CMU, unfortunately is in a major business conference today. He will make himself available between now and Tuesday for any discussion, any information that anyone needs.

With respect to what the CMU proposal is, it is actually very simple. Initially they will take the course as is --

Mr. Cohen:

Let me make something clear here for the moment. This bill was introduced and people have had copies since last Tuesday.

Michelle Madoff:

I want more details.

Mr. Ferlo:

I want to clarify, I have the bill, I am not questioning that. I was wondering if the Director had any additional written information.

Mr. Turner:

We will have -- I hope that -- well, we will have a draft

lease for Council to review before the weekend. I thought we would have it today, but the minute we get the attorneys from both parts involved, you have to change this word and that word. Sorry about that.

Michelle Madoff:

Mr. Chairman, that was the point I was making.

Mr. Cohen:

We are going to have some order here. Mr. Turner and Director Young, you have the floor. Whatever you want to say, please say it now.

Mr. Turner:

What we have here basically is a proposal from a major institution that you are all familiar with, Carnegie Mellon University. They will take the course as is, they will make initially relatively minor improvements to the course, no major changes, the course will run as is. They will front any moneys that need to be fronted in order to make changes to the T's or whatever minor changes need to be made. Ultimately, they will be repaid from the proceeds of the course. They will set up a separate nonprofit subsidiary. There will be no -- all of the proceeds from the course will go into the course, nothing will go back to the University itself. They will operate and manage the course from the existing clubhouse. They will set up a five member advisory board to review and to offer input. Before they would even contemplate any type of future changes, they would ensure that there was substantial dialogue with the golfing community, with the neighborhood, with the city, with the Councilmembers. There will not be alcoholic beverages involved. They will establish the rates, but they have pledged that they will make some type of reduced rates for low income youth and low income seniors. They have indicated to us that they can open the course within 30 days, should this pass on Tuesday, within 30 days of that time frame. What I will commit to you is if this passes on Tuesday, we will open it on Wednesday until the 30 day period when CMU can take over.

Many of the other items are in the resolution, but that is basically what they are pledging to as part of this lease management agreement. They will operate it, they will operate it professionally, they will make improvements, they will pick up any subsidies that are required, there will be no cost to the city.

(Deleted text.)

Mr. Onorato:

Thank you, Mr. Chairman. Up until a week ago, I had no idea what the CMU plan was or even if it existed. Since we received this, I have four points, I guess you call them friendly amendments. I would like to do them one at a time and discuss them as we go.

No. 1 would be in No. 1. I would like to see after the first sentence that we add and put in there so it is not implied that this golf course would be open to the public at all times. It is really not stated here.

Mr. Turner:

You mean that it is a public golf course?

Mr. Onorato:

Yes.

Mr. Turner:

Absolutely. "All times" doesn't mean 24 hours a day. It means it is a public course.

Mr. Onorato:

It will remain a public course.

Mr. Turner:

Yes, that is fine.

Mr. Young:

Let me just say that I think you will find in the lease agreement there is language like that.

Mr. Onorato:

If be are going to vote on this without a lease agreement, I want it in there.

No. 2 which would be under No. 4, I think that all major moderations, blah, blah, blah, so on, should be approved not just by City Parks and Recreation, I would say by City Council also. The reason I say that, one of the reasons I voted against the previous plan was because of the major changes that were proposed under the plan -- parking, lights, asphalt -- that I don't want to sign a lease that allows them to do that without having the proper body review that and for citizens to come to us to have a public hearing if it is necessary.

Mr. Turner:

That is fine.

Mr. Onorato:

No. 3 would be under your No. 5. My third suggestion is I would like to see an individual appointed by City Council on this board. It could be the Chairman of Parks and Recreation, but we should have a member on the board, like the Aviary.

Mr. Turner:

I was going to say, what we could do if this is amenable to Council, is what we do with the Aviary. As you will recall, Dan, the Mayor agreed since you were the one most heavily involved in it, you would be the appointment. In this case whether it was Councilman O'Connor or Councilman Cohen, we don't have a problem with that, we can agree to that.

Mr. Cohen:

May I interrupt there for a second, and perhaps a friendly amendment to that? Perhaps the way we should put it is that this person be appointed by Council, in which case we would have the leeway to either appoint one of ourselves or somebody else.

Mr. Turner:

That is fine.

Mr. Onorato:

Fine. My final suggestion was the issue that Councilman O'Connor talked about, and that is the 29 year lease, if there is anyway to shorten it but would still provide the incentive for improvements, be it a 15 year lease, cutting it in half or a 20 year lease or a 10 year lease. I don't know what the magic number is. The period could be shorter so we could review it and renew it. That is up for discussion. I don't have a year that we should put in there.

Mr. Turner:

We can talk with the University about something like a 15 year lease with a 15 year option.

Mr. Onorato:

I think that is safer on everybody's part.

Mr. Turner:

What you would have in that type of scenario most likely -- and I am thinking off the top of my head -- is some type of buy-out provision, then. For example, if they used 20 year money to make an improvement and at the end of 15 years we may be on the hook for the remaining life of what they put in. It is the kind of thing you have in stadium leases where you have a concessionaire that comes in and makes major alterations. So I think something is workable here.

Mr. Onorato:

As long as we don't set up -- let me address that, please. The fear there is that we set ourselves up to bail out CMU at the end of this 15 year period. If they put a lot of money in, they don't pay up-front and they still owe a lot, they might say, "If you want it, you owe us \$20 million for improvements." I don't want to be in that situation.

Mr. Turner:

At the same time, we also want to encourage them to make improvements. That is one reason why you have the longer lease, because it does encourage that.

Mr. Onorato:

Let me suggest this: On my first three, do you want to vote on these friendly amendments and then we can discuss the fourth one?

(Deleted text.)

Mr. Cohen:

Mr. O'Connor, let me suggest this, if I could. Councilman Onorato has put forth four oral amendments, I think we can get probably get the first three out of the way fairly quickly. Why don't we do those and get to the forth?

Mr. Onorato:

The first amendment would be to add after the first sentence in No. 1, "The golf course shall remain a public golf course at all times."

Second amendment under No. 4 right after "Approval by City Department of Parks and Recreation," and City Council, adding "and City Council."

Third amendment under No. 5, we will add to the advisory board, "A member shall be appointed by City Council."

Mr. Cohen:

Mr. Onorato, I am going to ask that you put forth a specific fourth amendment so we have something to discuss.

Mr. Onorato:

I guess the amendment could be under No. 18 that, "The lease will be for a 15 year period with an option for an additional 15 years at the end of the 15th year."

Mr. Ferlo:

Second for discussion. To me the issue is not whether it is 5, 10, 15, 20, 30 years. I think it could be -- the 15 year period is fine, but I think it should be clear that any and all improvements made remain, in effect, in the public domain and the property of the city, should the worst happen. I mean, there should not have to be compensation paid at any time. If their improvements are made and they are amortized as a result of the fee schedule and the other contributions of CMU, when they leave that course for any reason, good, bad or indifferent, what remains is an improved facility.

Mr. Turner:

I am sorry. The magic words are "If they are amortized." My concern is if you have a short lease --

Mr. Ferlo:

My only point is rather than worry about the duration of the lease, I would worry about the fact that when they leaf that course, they leave it as is and we benefit from it, not having to pay just compensation or reimbursement. So whatever relevant lease term needs to be, to me is not the important thing. When they do any improvement, we own it, not that we will have to later on pay a bill.

Mr. Young:

Say in the third year of a 15 year lease, at that point in time we were talking about perhaps some major modifications, irrigation system, whatever it might be, then perhaps there needs to be a review then to extend that out to cover the period of time needed to amortize it at a reasonable rate.

Mr. Ferlo:

That is why we provided for in other references in the lease you are negotiating. One of benefits of the previous proposal, even though it did not receive majority support from

this Council, was that any improvements, that person had to leave and that is her problem. We should have the same standard here, even more so, because we are talking about a non-profit institution.

Mr. Turner:

The other thing that any entity can do, whether it is CMU or whomever, let's say in a 15 year lease they are in year 13, that is when you worry about they are in year 13th and the irrigation system that was put in 10 years ago fails and needs major improvements. Now, they may be reluctant then knowing that the lease is almost up, but what will often happen in that scenario is then they will come back for an amendment at that time.

Mr. Ferlo:

There are 100 examples where city government has renegotiated leases.

Mr. Onorato:

Can I amend my amendment? Here is what it should read. I propose that we amend No. 18 to read, "The term of the lease will be for 15 years with an option to review another 15 years at the end of the 15th year." In addition, another sentence on 18 should read that, "Any improvements shall revert back to the city if the lease expires and when the lease expires."

Mr. Cohen:

I think that is a law anyway.

Mr. Ferlo:

I want to make it clear that we are not going to be held accountable and have to go float a bond issue later on to pay for it.

Mr. Onorato:

At no expense to the city.

(Deleted text.)

Mr. Cohen:

Any other discussion on the amendment? Mr. Onorato, if you could restate the amendment clearly.

Mr. Onorato:

There are two parts of the amendment that apply to No. 18. The first part is the first sentence: "The term of the lease will be for 15 years with an option to renew for another 15 years at the end of first 15 year period."

The second part would be a second sentence to 18 which would read, "Any improvements made to the golf course shall revert back to the city when the lease expires at no cost to the city."

Mr. Cohen:

We haven't cut-off discussion yet completely. It is a very good amendment and it makes me feel more comfortable with the plan.

Michelle Madoff:

May I continue with my question? Sprinkler system.

Mr. Turner:

They have not committed to doing that specifically, because that is a costly item. Obviously they won't do it now, it is too late to do it this year.

Michelle Madoff:

But will it be part of a negotiated contract to try to make this an improved course?

Mr. Turner:

It is not a requirement. I believe they will do it. I believe that is one of the improvements they will ultimately make. But that is not a requirement.

Michelle Madoff:

Will you please put in the contract who will pay for the water?

Mr. Turner:

Okay.

Michelle Madoff:

The water will be paid by CMU; is that correct?

Mr. Turner:

They will pay all utilities.

Michelle Madoff:

That is very important. My understanding is the whole system will not work unless the water was supplied by the city. I want to be sure that both parties who are involved in the bidding have the same ground rules.

(Comments temporarily relieved by Mary Anne Hruska.)

(CONTINUED - MICHELLE MADOFF'S COMMENTS ON BILL NO. 2147,
WEDNESDAY, MARCH 31, 1993)

Michelle Madoff:

Will there be a driving range?

Mr. Turner:

Not initially.

Michelle Madoff:

But would we work towards having that, towards the Oakland area?

Mr. Turner:

Not necessarily, no. I'm not ruling it out --

Michelle Madoff:

-- these are questions that have been asked by the public so I'm asking you, I represent the public.

Mr. Turner:

Not without enormous amounts of public discussion and community input and I don't know if they'll ever propose it because City Council would have to approve it.

Michelle Madoff:

I'm only asking the question. Next question, who will the staff work for?

Mr. Turner:

CMU. They will establish a nonprofit subsidiary.

Michelle Madoff:

We talked about opening tomorrow. Who would work there?

Mr. Turner:

Let me be very clear --

Michelle Madoff:

-- I think it's important for all of us.

Mr. Turner:

The City -- CMU within 30 days from final passage on Tuesday, CMU will be prepared to take it over and to operate it. During this period of time between now until that takeover time frame we will operate it on an interim basis.

Michelle Madoff:

It's conceivable that the CMU might say these people know the course and many of them have been reviewed as good employees and we'd like to keep them, would they then work for CMU or still continue working for us?

Mr. Turner:

I think that's highly unlikely.

Michelle Madoff:

Because of the pensions and whatever have you, what happens to those people that worked on the golf course, do we fire them?

Mr. Turner:

No, they've all been transferred to other positions. Some people were let go but they are gone.

Michelle Madoff:

Okay. How do you feel about gambling on the premises?

Mr. Turner:

I don't like gambling in any circumstances because it's a personal thing.

Michelle Madoff:

What are we going to do to make sure we have friendly games but not gambling?

Mr. Turner:

If the question is CMU going to offer some type of gambling entity --

Michelle Madoff:

-- no. I'm saying as the organization that has existed for years, it's been a friendly social club and presumably if you have a friendly nobody cares. The issue here is that we have people calling me all the time and I'm obviously not the only

one that know this. You'd have to be deaf, dumb and blind and not interested not to know what goes on and I don't think that we have a Parks & Recreation Director who's deaf, dumb and blind, I'm sure he knows what I know and that is that there is extensive card playing at the club. That is the reason over the years this Council has said that it's a social club let's not take it away and it didn't cost us and the federal government was paying the money. The fact is that now it's becoming a business enterprise. Somebody is going to take it over to make sure the City doesn't lose money. And there is extensive gambling going on at the place from what I have heard repeatedly to the point where people were going to go in and take photographs. Now, I wonder who's going to be policing that entity or is that not an issue that we care about and I think that needs to be addressed.

Mr. Turner:

Carnegie-Mellon University will establish the nonprofit subsidiary which will operate this and I'm certain that they will not permit any type of illegal activity whether it be gambling or anything else that will occur on the premises.

Michelle Madoff:

Will there be into the agreement some kind of policing so that we will not have a repeat of what is going on the big "o" where everybody is questioning should the University have been responsible, should the City be responsible. I think there has to be --

Mr. Turner:

-- I'm glad you raised that question.

Michelle Madoff:

-- I want to clarify it. I'm thinking in terms of the policing. Will somebody be responsible for making sure that this entity functions with whatever support the City must provide because legally there's not a taxing entity whereas the big "o" does give us money and the University gives us over \$2 million in taxes now. We have an obligation to supply policing for it. Somebody should be monitoring it and watchdogging and somebody should be providing whatever policing is necessary.

Mr. Turner:

With respect to the policing activities on the course itself, that will be the responsibility of CMU. One of the items that they have requested and we have agreed to is the ability to have their campus police begin patrolling on the city roads that run through the park. Not in replace of ours but as

a supplement to ours and we've agreed to that because that's great for everybody.

Michelle Madoff:

I appreciate that and that will be in the contract.

Mr. Turner:

Yes.

Michelle Madoff:

But you've taken it only to the point is that there is some auxiliary policing, what about within the framework of the clubhouse and the facility?

Mr. Turner:

That is their responsibility.

Michelle Madoff:

Would you mention that in your final contract so we don't get into the big thing of we are responsible for everything.

Mr. Turner:

Yes.

Michelle Madoff:

When a private industry as you know goes out and pays we have to supply it and in this case it would be very beneficial if there was indeed a joint effort and if on certain in-house things because we're not there in-house any more. That whatever the law is would not be circumvented.

(END OF COMMENTS)

(PREPARED BY: MARY ANNE HRUSKA
STENOTYPE REPORTER

Mr. Onorato:

I think that is an issue we should address and make sure this does not turn into subsidized student course for the University.

Mr. Turner:

That is fine. We can make sure that is in the lease agreement.

Michelle Madoff:

On the water issue raised. First of all, Mr. O'Connor said we have been through four hearings. May I correct him? Fifteen hearings that I know of.

Mr. O'Connor:

On the gulf course?

Michelle Madoff:

We can give you the transcripts and you can take it home and paper your wall with it.

Mr. O'Connor:

I haven't been here that long.

Michelle Madoff:

Item 2, the water and the sprinkler system. I have no problem because I have been a proponent of selling water at special rates when we have a bulk purchase, because we have an over-abundance of water, we should get some money for it. I would say that we are leaving ourselves open, Mr. O'Connor -- nobody calls him out of order, but that is okay -- to open the special flood gates, because if I were another entity, you know, a nonprofit or whatever, I would also say, if you are paying attention, folks, we are giving water away. If you are going to give that water away to CMU, you have to give that to everybody. That is my committee. I think you need to consider that.

Mr. Turner:

There is a slight distinction in that. It is our land still.

Michelle Madoff:

It is a public/private partnership and I understand that.

Mr. Turner:

I understand.

Michelle Madoff:

I am saying if there is a policy going to be in place that we are going to give all the non-profits some of the utilities that we can provide and will help them to make it work, I don't have a problem, I want to help wherever possible. I see we have somebody agreeing with me. But you can't single one entity out, so there has to be a policy. I would appreciate if you would bring back to this Council what the policy is so all entities are treated equally.

My other concern, which I am sure everybody will be happy to hear it is my last one, is that I am unhappy about the fact that we went out on an RFP and someone responded in good faith, and even Mr. Turner said he thought it was a very good plan, liked the plan. What a crown it would have been in the city's cap to have an Arnold Palmer golf course and driving range. I think the plan was tremendously beautiful, exciting, all the wonderful adjectives we could add. It would have been similar to what other progressive cities, such as Orlando, are doing, getting the best that they possibly can. It was an unfortunate situation. As you said, Mr. Turner, you didn't anticipate the kind of objections you had, but you always get into that from people when you get into NIMBY, not my backyard; people are most affected and that is the way it is. And unfortunately, we are bowing to public pressure.

Personally, I would have voted against this had we had a 4-4 vote, because then perhaps I think we could have prevailed upon the Administration to open the course until some other contract was negotiated. You say no. So the choice this Council was confronted with, my vote was predicated and I think some of us who are not in support of this plan because we didn't have a plan to look at, CMU didn't exist, we were voting on a non-existing plan, just a conceptual plan; "We will come in and do our best effort." And I happen to adore Bob, I think he is one of the most terrific guys and he is honorable and CMU is a wonderful entity. I have tremendous respect for him, the president of the college. However, we are really confronted here with either we vote for CMU now or we don't open the course. That is pretty much it, is it not, Mr. Turner?

Mr. Turner:

Yes, that is absolutely correct.

Michelle Madoff:

On that basis, I don't really have a choice. We have to vote for it because we have to open the course. I don't commit

suicide in public.

(Deleted text.)

Mr. Cohen:

Thank you, Reverend. I have a couple comments. I have been patient and I will keep them brief.

I support this proposal. We have had many public hearings on this issue, I think we had two public hearings in this Chamber and at least two out in the community, not to mention lots and lots of meetings on this. I have been actively involved with Councilman O'Connor on this issue, and I think it has been a very productive evolution, really, and I think we had a productive discussion here today.

I want to thank the Administration for putting this forward, CMU, the Law Department that worked very hard on this, the Squirrel Hill community in particular for their active participation in this project.

From the very beginning I set out six principles that for at least my vote would govern my vote on this issue, and all six of those are satisfied by this proposal. Very briefly, that it be a nonprofit; that it be accessible to all city residents who wish to use it; that the fees for playing remain affordable, and particularly that they have a fee provision for reduced rates for low income youth and low income senior citizens who are residents of the city, which I think is very important; that there be ethical and responsible management of the operation, and that is contained in here with respect to access and review of all their financial records; that the golf course maintain the multiple uses surrounding the course and Schenley Park, and that is here, including walking, jogging, bike riding, et cetera; that there be no changes to the road structure of Schenley Park, and that is in here, as well; and, of course, the alcohol, the no alcohol provision is here, as well.

I guess what it really comes down to is that Schenley Park be preserved and that the golf course be preserved without major improvements to it, and it be done in a responsible and ethical way. I think that is what in paper we have in front of us. So that is why I support this plan and I think that it would be good for Schenley Park, good for the community and good for the city. At the same time we have to, of course, hold CMU to these terms. And if they violate any of these terms, of course, they would be subject to cancellation.

So I don't think we are giving them a blank signature here, we are saying to them that this document -- I am saying in voting for it that this document satisfies I think the principles set forth by the community, and now it is up to them to make it actually work.

A long time ago I looked up Mary Schenley's will and spent more time than I wanted to in the Register of Wills Office looking through that will. And none of us here knew Mary

Schenley, but I think that she would probably be in favor of this because I think it preserves the things that are contained in her will. And for that reason I will be supporting this, as well. Let's have a vote.

(End of remarks.)

(Transcribed by Helen L. Kriebel, Stenotype Reporter)

The Chair:

Is there any further discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. Onorato
Mr. Darkins	Mr. Ricciardi
Michelle Madoff	Mr. Wagner
Mr. O'Connor	(Pres't)

AYES 7 NOES 1

(MR. FERLO VOTING NO)

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Mr. Onorato presented

Bill No. 2241

Report of the Committee on Public Safety for March 31, 1993 transmitting one ordinance and one resolution to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 2119

An Ordinance entitled, "An Ordinance amending the Pittsburgh Code, Title Seven, Business Licensing, Article VII, Service Businesses, by creating a new Chapter 767, Bed & Breakfast Establishments." --(SPONSORED BY MR. FERLO)

Which was read.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Darkins	Mr. Onorato
Mr. Ferlo	Mr. Ricciardi
Michelle Madoff	Mr. Wagner
Mr. O'Connor	(Pres't)

AYES 7 NOES 1

(MR. COHEN VOTING NO)

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Also,

Bill No. 2149

A Resolution entitled, "Resolution providing for the filing of an application by the City of Pittsburgh with the Department of Transportation of the Commonwealth of Pennsylvania for a grant in connection with the Federal, State and Community Highway Safety Programs; and providing that the Director of the Department of Public Safety is hereby designated as the authorized representative of the City of Pittsburgh for the purpose of furnishing to the Commonwealth of Pennsylvania Department of Transportation such information, data and documents pertaining to said application and project as may be required and to take such other

actions as may be necessary to enable the City of Pittsburgh to qualify for said grant; enter into an Agreement or Agreements to provide for increased law enforcement efforts on streets and highways within the City of Pittsburgh; creating a Special Trust Fund in connection with the Program; and providing for the deposit of the funds in a bank account."

Which was read.

Michelle Madoff:

Mr. President and Members of Council, I'd like to call something I think is rather important to your attention.

On Bill 2149, as you know, it refers to the Commonwealth providing dollars for increased law enforcement. This was not of any great magnitude to me because I knew that we would get money anywhere we could and we would support it and we would apply for any grant we could get, and who would even question that and we still don't.

However, I think that something that happened to me is something I think we need to know about. I was wanting to get in writing from the Administration a commitment for a neighborhood police in my district. We all have areas in the City that we're very concerned about. I know one of them is the Big O in Oakland who has a real problem and I understand they're going to resolve some of that. In other districts our colleagues have asked for neighborhood police officers to patrol.

In my district last summer I was able to get a police officer for Grandview Avenue and I don't think anyone would disagree with how important that is in light of the fact that it's our Niagara Falls and a tourist area and we have a multitude of people fighting there. A police officer could be at one end and there's a big battle

going on at the other and perhaps this year we're going to need two police officers patrolling the warm months.

We also got a police officer, a beat officer, at an area in Elliott that has two pizza parlors and a bar and it has been enormously effective. The police officer's name there is Tracy, which I thought was sort of amusing, like Dick Tracy, and he's very good. I talked to him one night. And there is another one at the school up in the area and we couldn't find him one night, called 911 and he showed up at a meeting in Sheridan. So we know that those people are indeed out there.

The fourth, I guess fifth if we get two on Grandview Avenue, was the police officer when we have been seeing at Boggs and Bailey gang fights, guns, terrible destruction and terrible fear of people in that area.

So, I tried to thank the Administration. Actually not the Administration, to thank Mr. Lou DiNardo and the Chief in our district, to have them here to thank them for providing the protection for our area. And, as you know, all this came about because this Council has been relentless in overriding the Administration when they gave us Park and Ride, when they gave us Mickey Mouse, when they said there were no gangs, we don't have a problem. We were bulletproof. We hung together, does anybody question that, and we demanded that we get police protection. And the credit goes to this Council.

And what is happening is that I wasn't allowed to use terminology, that's what I wanted to tell you. I couldn't say neighborhood beat police because there's a question of funding. The monies that come from these dollars can only be used for certain things and not for others and I want to be sure that that doesn't in any way, Councilman Onorato if you would look into it, in

any way curtail the neighborhood beat police officers we have now that that is just language. I hope it's only language and it will not affect us.

But, again, it was an appropriate time and an opportunity to say thank you, everybody, because I think it was four years ago when I went out to Westgate and saw the shootings and thought about calling in the National Guard and I was ridiculed as being a nay-sayer and an alarmist and we weren't really having these problems. And as we've seen, we not only have them but they've not really gone away.

Again, this is the Council that made it happen, not the Administration.

The Chair:

Is there any further discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. O'Connor
Mr. Darkins	Mr. Onorato
Mr. Ferlo	Mr. Ricciardi
Michelle Madoff	Mr. Wagner (Pres't)

AYES 8 NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Mr. Ricciardi presented

Bill No. 2242

Report of the Committee on Engineering and Construction for March 31, 1993 transmitting one resolution to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 2179

A Resolution entitled, "Resolution providing for a Contract for the Construction of the Courts Facility Foundation, Package 1 of Phase I, of the New Public Safety Complex; and providing for the payment of the costs thereof."

Which was read.

Mr. Ricciardi:

Colleagues, the bill before us is a very costly expenditure upwards to the first phase of \$700,000 and a very important public policy issue, that of the new Public Safety Complex.

Unfortunately, last week because of some of the bills before us, the meeting was very lengthy and some of us, including myself, at times had to leave the table and I don't believe we did this bill justice in our conversation with Director Sciulli.

If I may, Mr. Wagner, I'd like to make a motion to recommit this bill for tomorrow.

Mr. Ferlo seconded the motion.

WHICH MOTION PREVAILED.

MOTIONS AND RESOLUTIONS

Mr. Ferlo:

I have three or four very brief housekeeping matters.

First, I believe all Councilmembers received a memo from Senator Scanlon and Mr. Pistella, possibly others. This involves the reimbursement as a result of the great blizzard of the century. The deadline for applying for these funds is April 15, 1993.

I know in the past most of the time when we get State reimbursement it requires City Council's approval, even when we, in fact, apply for them.

So, I just want to make sure that the Administration, obviously, I'm sure, is on top of this, but I hope with Easter coming up that people are going to be around if we need an interim approval. The deadline for submitting the application for these funds which, by the way, is going to provide hopefully 75 reimbursement. I know at the time, I think Channel 2, 4 and 11 had reported that the City had allocated an additional \$500,000. So hopefully some of that money can be recouped.

But I'm very concerned that this application be met and that if it needs Council's approval it's actually going to happen.

I was wondering if we could make sure that we send a communication to the Administration today on this issue and let us know if some of us have to be around to sign something or whatever they're going to do in terms of applying.

Secondly, many other mayors throughout the Commonwealth actually declared an emergency that weekend. I don't believe our

Mayor actually declared an emergency. In fact, there was a St. Patrick's Day Parade that day that I'm sure you were at, Mr. Wagner and Mr. O'Connor and others.

But I don't know legally if she has to do that or if we have to do it or whatever. But, please, could we quickly get a report from the Administration on this issue.

Secondly, and I raised this issue last year, the business show which is being touted as Pittsburgh's largest business to business trade show, I know Michelle did a proclamation one year on it, and the impacts, inventors, business people. Obviously it's a wonderful event but it would be a much more wonderful event if it were at the Convention Center and not at the Monroeville Expo Mart.

Last year I complained and again this year the Pirates had their autograph show which is a real big show. They had it out at the Expo Mart and not at the Convention Center.

Personally, I resent that. This City, much over my objections, floated a \$21 million bond issue. In fact, we'll be paying it off until the year 2020. \$60 million to help out the Pirates. I think the Pirates in this kind of a show, I don't know what the Convention Center is doing or the Pittsburgh Convention and Visitors Bureau, but these are two shows that really should be at the Convention Center. I don't know if there's a time conflict. I don't know if they just don't like the City and they prefer Monroeville, but I don't like this.

I would respectfully ask that we send a letter to these two organizations and to the two agencies in the City asking for clarification about why these two important shows have to be outside the City as opposed to the Convention Center. So, I'm asking for a very nicely worded letter just reiterating our concerns about these two

particular shows, especially the Pirates. The Pirates show should be at the Convention Center or at a City facility.

Michelle Madoff:

I agree with my colleague wholeheartedly but I disagree on one thing. I don't think you need a nice letter. You know, when we don't get anything done we say, I did something, I wrote letters.

Let's remember that we have again this wonderful Council. We're bulletproof if we stick together. The majority of this Council has voted in favor of every major bill that has made significant impact. Writing another letter isn't going to change anything. There has to be a decision of this Council to send something that says, look, if you want support from us in the future like bond issues, we expect you to do this. That's difference. Not just a nice a letter saying would you consider it. It's like, Mr. Legislators, would you like to give us a little tax reform. You could write 40 letters. It doesn't help.

Mr. Ferlo:

Hopefully next year we'll have a different Administration who will take more seriously some of these issues such as the ones we're talking about.

So I would just like to make a motion that we send the respective letters.

Michelle Madoff:

But I would like to make a friendly amendment that the letter says when you needed funds to keep the Pirates here, we went out on a bond for you. And I think that should be part of your consideration. Send a tough message, or hand deliver it.

The Chair:

I think it should be sent directly to the Pirates. That's an excellent point.

There a motion on the floor and a second.
All in favor? Opposed?

WHICH MOTION PREVAILED.

Mr. Ferlo:

I would like to ask for a motion and colleagues to be supportive of this, sending a letter to the Administration, Director Turner, the Budget Office. I've been trying to figure this out with the City Finance Department, City Council Finance Office, but it's difficult because we can't figure out if we don't actually know the numbers and the time period.

I'm just concerned, without raising again the issue of using the Block Grant money for police officers in Community Development Block Grant neighborhoods.

Setting that issue aside, I would like clarification, and I would hope that we all support this, to know exactly of the monies that we allocated for this fiscal year relative to the use of the federal block grant for police staffing. If we could get an explanation of what do they actually forecast as those numbers to be recognizing when and if actual officers would be hired and put onto the payroll.

The reason why I'm asking is, I think we have budgeted more than we'll actually use this fiscal year on those federal dollars. And if that's the case, I would hope that Council would consider taking some of those dollars back and committing them either to summer youth employment, which as we all know is a major concern in this City. We continue to have a situation where we will not fully fund

opportunities for young people, especially disadvantaged young people in key neighborhoods.

And also the issue of many of our recreation centers, especially those in neighborhoods which are experiencing the most problems in terms of youth, juvenile delinquency and youth activity on the street. It would be nice to replenish and use some of those funds for hiring older adults who could work at some of these community recreation centers.

So, what I'm asking for is not, again, getting into the debate about the money but if we're not actually, in fact, going to use it all, and I think they should be able to figure that out, we could then right now before the summer months heat up, allocate some of those dollars back to some of the other priorities that we have.

So, my motion is to just send to the Administration and ask for an explanation of what actually do they expect the budget and the monies to be relative to the CDBG dollars committed for the police.

Mr. Darkins seconded the motion.

Michelle Madoff:

All I would suggest is that instead of writing a letter that we ask the head of the Department, Mr. Onorato who is eminently competent, to find out, just ask the question, "Will you use all the money?" If they say no, then we come back and we discuss it.

The Chair:

Let's find out what the figures are. I think that's important.

Mr. Ferlo:

I would like something in writing.

The Chair:

All in favor? Opposed?

WHICH MOTION PREVAILED.

Mr. Cohen:

Mr. President, last Thursday the Federal Communications Commission took an action that has been called government's single best consumer protection action in years, and that is on the cable industry they put out their regulations which interpret the law that Congress passed last year that calls for a decrease in cable rates; it calls for a rollback of all the rates that have been increased since September 30th of last year. Among other things, it also gives local governments, local municipalities, some power to demand additional rate cuts in the future.

It's a very complicated set of regulations, however, as was the bill very complicated, and I think that it will allow us, the City of Pittsburgh, to demand rate rollbacks, at least back to September 30th, and hopefully ten percent reductions after that, but also to give us the power, City Council and the Mayor's Office together, the power to have some authority over rate regulation in the future.

What I would like to ask this Council to do right now is to ask Brother Richard Emenecker, the head of General Services but also the head of our Cable Bureau, as well as Mr. David Farley who is our lobbyist in Washington, to brief us whether that be in the form of a post agenda meeting or in writing on what the regulations say with respect to rate cutbacks and what power it will give to the City of Pittsburgh to order those. Specifically, I know that we have to

file for certification with the FCC. I don't know when that has to be done, but if they could advise us on how the City should proceed to be able to order rate cutbacks.

I think we all agree that our cable rates are much too high right now. Over the last few years I have talked about TCI's insensitivity to its customers. I don't think that that has changed any. If anything, it may have gotten worse. And I think we ought to at least get the information to find out what our power will be under these regulations.

The Chair:

So your motion is a request for information from those two individuals.

Mr. Cohen:

Exactly.

Michelle Madoff:

Second for discussion. I think that we need to do something, Councilman Cohen. However, I don't know if you heard TCI being interviewed this morning on Channel 4. They said that they had voluntarily rolled back the basic service from \$19 to \$10. But, what they didn't say and what I would like to know, and you could be very helpful to this City in finding out, what programming did the cut back. I need to know that because I have a sense that we may not have gotten a bargain. There's a number of things I don't get anymore on my basic level that I used to get and I'd appreciate it if you'd check that out.

Mr. Cohen:

I'll be happy to. I can speak very briefly to it right now and that is it wasn't \$19 to \$10. I wish I had it in front of me. I have it in my office. It was only like a dollar less. I think it was \$11 to \$10.

But what they have done is they have stripped the basic cable service of virtually every channel except for the three networks and, of course, the City Council channel. But other than that, I think they've stripped virtually every channel.

Michelle Madoff:

As long as they left us in tact.

Mr. Onorato:

Councilwoman Michelle Madoff brings up a good point. The fact that they stripped the basic cable to create a \$10 cable rate, I would also like to ask in this motion to make sure that that doesn't qualify as the rollback. I want to make sure we're not playing any games here in that they said we've rolled it back \$9 already because it is a whole different basic. It's not the same basic.

The Chair:

Why don't we ask for this report in regard to this issue so we can talk about it in greater detail later?

Mr. Ferlo:

We should be clear on the politics of this. We finally get some cable regulation passed by the Feds, to their credit. And basically, PTCI again is pulling the hoodwink over our eyes. They're trying to get ahead of the curb on a PR basis what the Federal Regulatory Agency that's going to deal with cable rates. They're trying to be cute.

They don't have that many people with the basic service so they figure they'll lowball it down to \$10. But the largest class of people are in that second tier that's not going to be lowered and they're hoping, as Mr. Onorato says, to throw this forward as the way that they're being sensitive to the new regulatory by downwardly lowering the

19 to the 10, but it's for basic service. They've eliminated all those channels and they're not a very large class of rate payers to PTCL.

So, again, they're playing their usual shenanigans. I can't stand PTCL.

The Chair:

We should request as much information as we can and I think then have a session and talk about it because this is a little bit more complicated than meets the eye.

All in favor? Opposed?

WHICH MOTION PREVAILED.

Michelle Madoff:

Gentlemen, I hope you'll indulge me. I have been working on this for four years and I spent 22 hours trying to make sure that the information that I put together was accurate. It's a relatively brief statement. Attached to it is a recent New York Times article. I'll give you all a copy of it and there is a statement that was sent out the other day when the piece of garbage was put out by Mr. Hayllar, the financial wizard, claiming they've saved \$32 million and that I was trying to hide that information. As you know, that was just an interim report.

So let me just read my prepared statement. I'm rather tired.

"It's no secret that I believe that the practice of issuing municipal bonds bears close scrutiny. The awarding of millions of dollars in negotiated bonds to underwriters without competitive bidding invites the pricing of bonds in favor of the underwriters' customers and not the taxpayers who ultimately pay for them.

My purpose in encouraging Council to

commission a review of competitive versus negotiated bonds was twofold. Council votes on millions of dollars in bonds and should be informed so we don't vote in a vacuum.

Secondly, since the City of Pittsburgh taxpayers are responsible for the debt on bond issues, not only by the City but by the County and Authorities as well, we have a duty to protect the public interest and assure that we don't give the store away."

Incidentally, in 1986 there was a new law which prohibited arbitrage which means that if we borrowed money on bonds and we didn't use it in 18 months, we had to refund that money.

"So, from 1986 to 1993 the City of Pittsburgh issued a total of, and we believe this to be correct, \$524.8 million, almost \$525 million worth of bonds.

After deducting the cost of issuance which is approximately 5 percent or \$27 million, the City actually received approximately \$497 million. Taxpayers must still repay the full \$524 million.

The completed report from GFRC pinpoints the terrible dilemma of exposing the insidious practice of the issuing of millions of dollars of municipal debt without competitive bidding. The national average was, in essence, used as the baseline for comparison is based on most of the bonds being issued through the negotiated process."

I don't think it's really much different than what's going on in the Savings and Loan fiasco. And someday this will be as big a scandal and become a public issue.

"The sampling of bonds issued in Pittsburgh, the Counties and the Authorities, were likewise issued by negotiating the deal

rather than putting them out for competitive bidding."

I want to clear that up. We were trying to compare the cost of issuing competitive against the cost of issuing negotiated. We couldn't because, as you'll see what went on, most of the bonds in the baseline were negotiated.

"We ended up for the most part comparing negotiated to negotiated. We will never know how much lower the baseline could have been if the national average was determined by a majority of competitive bonds rather than negotiated.

It is my belief, and that of many experts, that millions and millions of taxpayers' dollars would be saved through competitive bidding.

Despite the difficulty inherent in the process, the study did conclude that competitive bidding is almost always a better deal for taxpayers. The report demonstrated that while only six City and County issues were sold competitively, these issues were all priced at or below the market rate for bonds with similar maturities and credit ratings. I believe that several of the bonds were like three basis points above the average and we consider that add average because we're not talking about 40 or 25 or 65 basis points.

In addition, it appears that of the limited sampling reviewed in the report, Allegheny County exceeded the national average, and remember, it was all negotiated as were the bonds locally, by \$7.5 million during this time frame. Alcosan by \$7,600,000 and the School District by \$3,336,000. And I recall that recently I spoke to David Donahoe and he tells me they're going to go to competitive bidding only, exclusively.

Just because there is national greed doesn't mean that local government bodies

shouldn't limit this obscene practice and issue competitive bonds as a rule rather than as an exception.

Using the raw data in the interim unofficial report released to the Council by GFRC, Mr. Hayllar's unprofessional, premature press release states that compared to the national average the City saved taxpayers \$32 million over the past 7 years. He knew, but chose to ignore, the cover letter from GFRC report which cautioned the interim report 'should not be made available to the public. It is intended only for the Pittsburgh City Council. Due to the nature of the material involved, it would be unfortunate if an conclusions were drawn prior to final completion and verification'."

The next paragraph is rather technical which explains what the change was from the original interim report which tells us how they were proceeding, then what actually came out in the final report in the numbers.

"By jumping the gun and not waiting for the final report, in an attempt to demean me and make himself look good, Mr. Hayllar ended up making himself look foolish.

The final report, Table 10, indicates that the City may have saved \$76,000, not \$32 million as professed by Mr. Hayllar. And I believe that even the \$76,000 saving is questionable because again we're comparing negotiated with negotiated. We're not talking about if the baseline had been competitive and we were talking about negotiations.

While it is difficult to get the experts and the underwriters and the bond counsel to speak out on the record, because they either have a piece of the pie or want a piece of the pie, nevertheless a good investigative reporter, if he didn't go to the fox and the chicken coop meaning those that we gave the negotiated bonds to, could

research and learn, as I have, how the game is really played. Insiders are well aware that negotiated bonds are often times pinstriped patronage. The taking care of those who take care of us.

A Pittsburgh Press article by Jon Schmitz, September 6, 1989 in the Pittsburgh Press, reported that the firm of Eckert, Seamans, Cherin and Mellott, were paid about \$45,000 to serve as bond counsel on a \$60 million City bond issue, and they contributed \$11,500 to Mayor Sophie Masloff's re-election campaign. Of course they claimed there was no connection.

For the record, Attorney Michael Stabile, Jr., of the same law firm is still acting as bond counsel on several recent negotiated City bonds. I'm sure he is a competent bond attorney, but certainly not the only one able to handle our bond work. And now we're only talking about bond counsel who doesn't really make the money; the big money is in the underwriters. Can you imagine what monies may or may not have been contributed?

Ben was comparing City bonds to the national average, which is determined by a majority of negotiated bonds. The issuing of negotiated bonds nationwide has risen from 59 percent in 1980 to 80 percent in 1992. Most of our local bonds, City, County and Authority bonds, were also negotiated. Therefore, of course, they would automatically be somewhere in line with the national average.

When a municipality wishes to issue negotiated bonds, there is always the available excuses - volatility of the market, complications of refinancing, etc. etc. etc. But a good financial advisor, the Lord knows we have one and we pay highly for it, can guide a municipality through the minefields and issue a competitive bond in order to avoid even the appearance of impropriety. We will never know the actual millions that might be

saved nationally and locally if bonds were issued competitively.

By comparing our County and City Authority bonds to the national average, what we're really saying is nationally is, we beat our wives three times a week. And in Pittsburgh we're better - we only beat our wives twice a week. Or put another way since the majority of bonds creating the baseline are negotiated, what Mr. Hayllar can rightfully claim is that Pittsburgh is a better negotiator. This still begs the issue.

By focusing attention these last few years on the issuing of bonds, the underwriters know they're being watched and Pittsburghers are probably getting a better deal than we would have, had no one been looking."

Duquesne Light proposed refinancing of our money so that we could get a bargain and hopefully they would get something. My understanding was that it was entirely illegal and they're not going to do it. Lord knows what would happen with negotiated bonds if this Council had not started to educate themselves and watched what was going on.

I can't do any more than raise consciousness. I did talk to our people, J.B. Kirsch in Chicago, and they have a book they publish which basically says we should be going to competitive bidding wherever possible, but that is the route to go. There is no doubt, of course, there are times of extenuating circumstances that we should go negotiated. But that should be the exception, not the rule.

With that, I think if I've done nothing else I've certainly tried to enlighten this Council on what we should be looking for. It's been a tough road.

The Chair:

I just want to follow up on Councilwoman Madoff and I know every Member of Council has received some information, the packet that Councilwoman Madoff is referring to. I've asked Kurt Salac, our Budget Analyst, to analyze the City bond issues and I believe he's in the process of putting something together for all Members of Council.

Michelle Madoff:

But, as I pointed out, Mr. President, our bonds were negotiated. The average is negotiated. What are we comparing?

The Chair:

He's comparing the negotiated versus what it would be if they were competitive.

Michelle Madoff:

And I'm telling you, he ran some numbers based on the information that came in from a report. He did the numbers. He was the one that showed that the \$32 million was \$76,000.

The Chair:

He indicated to me that his initial information is that the --

Michelle Madoff:

This was the second report.

The Chair:

-- that the negotiated was competitive with the competitive process.

Michelle Madoff:

No, what he's saying is that the negotiated -- He's got a statement which is also attached here. I could read it if you'd like. But what he's saying is in essence what I'm saying. How do you compare? It's impossible to see if we've gone competitive when you're comparing with negotiated. And what he did, and I did not know because the paragraph I left out which is highly technical which Ben used as his numbers which were lunacy because he didn't wait for the final report, he was trying to say how wonderful he was and how dumb I was, when he ran the numbers it went from \$32 million to \$76,000. And I'm saying that \$76,000 is not even realistic when everything was negotiated. You don't know what we would have saved if it had been competitive. You can do all the comparisons in the world but we will never know because they were not done competitively.

The Chair:

Thank you.

Mr. Onorato:

On another issue. I'd like to comment on the incident that took place in my district, Northview Heights, last week about the bricking of the fire trucks.

I was disturbed just the way the whole story was reported and the follow up comments that were made regarding the incident.

I just find it very interesting that I chair Public Safety and I also represent this particular neighborhood, and I didn't receive one call from any of the media or from anyone done here. I think it goes to the fact that we're dealing with a public housing community.

We have a tendency both here and in the

media to promote this image of an island with public housing communities, and we don't treat them like a regular neighborhood. Northview Heights is one of the largest neighborhoods I represent on the North Side. There's over 1,000 people in that particular neighborhood. I don't care if it's public housing or if it's private homes, whatever you want to call it, they're residents of the North Side and I represent them.

I think it was unfair that we had one person interviewed out of Northview Heights as opposed to getting the different groups. And I want to make it clear today because I was up there the day after the incident, immediately up there for about two hours walking around and talking with different groups. I go up there several times a month and yet I could have shed some light on this if someone would have called and tried to get the news reports straight.

So, let me state clearly now, a large majority of the individuals who live in the Northview Heights community, feel like we do that the police should investigate, should arrest the individuals that were throwing rocks, should punish them and make them an example for this entire City. That should be made clear.

I heard on the radio and I read in the few articles that it was implied that the people of Northview Heights condone this kind of action and that they think that the firemen acted wrongly. That is absolutely ridiculous. They live up there and if anyone is throwing a brick at a truck, they want to make an example of those individuals.

I think at this point, as Chairman of Public Safety, I would ask Director DiNardo to even put together a special task force and an investigative team, to find these individuals and to bring them to justice and punish them so that everyone can see that we are not going to tolerate this.

In addition, I think the bulletproof vests that the firemen are asking for should be on the trucks immediately. Whatever it takes to get them there, let's do it.

And the other issue regarding police escorts. There was miscommunication with police escorts. There is no fireman that believes or stated that they would not go into Northview Heights or any area because they're afraid if a fire breaks out. The statement that was made is that if there is a dumpster fire that does not involve lives, that they would wait for police escorts. I have no problem with that and I think that should be the policy.

They also stated, though, that if they get a call for any structural fire or any first responder, they go immediately. In no way to the wait for a police escort. I want to make that clear today. This will not hurt any response time when it involves a life or a fire to a structure in any of these neighborhoods.

I would also like to comment that if someone would have done their homework, they would have realized that the following groups participate in Northview Heights. You have the Northview Heights Tenants Council, the Northview Heights Citizen Council, the Urban League, Housing Authority, City of Pittsburgh Rec Centers and Senior Centers, Bethany House, Allegheny General Hospital has a center up there, Northview Heights Grade School, Youth Employment Services, Healthy Start, Head Start Pre School, PBA Drug and Alcohol Rehab Center, Family Health Counsel, Open Door Programs, to name a few. Not one individual from any of these groups were interviewed or had a chance to respond to what they think is going on in Northview Heights.

This is the majority of the residents up there, residents that work for these groups that I mentioned, and many other groups, groups that

are trying to promote this neighborhood and bring the press in to show the good that is going on.

I have recently been up at the Bethany House where they have a large community garden where they are teaching young individuals, urban youth, what it means to be a farmer and what it means to plant in your back yard. I've been to the Urban League and showed my support for the six Little League teams that Reggie Ward runs every day volunteering his time. I talked to the Principal at Northview Heights Grade School. I know the individuals running Health Start. And Healthy Start granted a group from Northview Heights the grant to run the Healthy Start program over private professional groups outside the area because they felt that this group had their act together and they could properly serve the area.

None of this is covered up there and I want to state now for anyone that perceived Northview Heights as a bunch of individuals that condone bricking fire trucks, that's absolutely untrue and that this neighborhood was unjustly portrayed and that we all want to bring these individuals to justice and punish them. That's the number one goal here.

But I will state that, unfortunately for public housing communities, they get caught between this jurisdictional question. You have Housing Authority Police and you have the City of Pittsburgh Police. Every time I'm up there dealing with the residents, we hear two different things. Sure, we're going to have beat cops in every neighborhood by the end of the fall. The City Police sometimes say, well, Northview Heights doesn't count as one of the 88 neighborhoods because they're under the jurisdiction of Housing Authority Police. At the same time we talk to the head of the Housing Authority Police and he says he only can do so much because of the manpower that he has.

I think that we have to seriously address the public housing communities, count them as our 88 neighborhoods, and make sure that they participate in any community policing that we do.

Since this incident there are two police officers 24 hours a day walking the beat in Northview Heights. They're like any other neighborhood. They want the protection that we want and let's take these few thugs that are ruining it for everyone and clean up all of our neighborhoods.

The Chair:

Thank you. Well stated.

Mr. Ricciardi:

On a different issue. First, I'm very pleased to announce that community policing will officially begin in South Oakland, a neighborhood which I represent. This Wednesday at 9:30 a.m. there will be a press conference and I hope everyone is able to attend.

The community police officer in the South Oakland neighborhood will be Jim Fullen. He's competent, he's professional, he's very caring, and I think he's going to do a wonderful job out there.

I still ask the residents in South Oakland, however, for emergency purposes to dial 911 for assistance. However, if they would like to talk to the officer, his telephone number is 622-7356. If any residents in the South Oakland area would like to have a discussion with the officer or set up an appointment with the officer. Mr. Fullen will be working out of 258 Semple Street, which is the former No. 4 Police Station.

Obviously, I'm very pleased and happy. Putting aside the issue of mobile units, this is the

first full-fledged community policing program here in the City of Pittsburgh and it will be kicking off in the South Oakland area. I think it's going to mean greater police presence, greater police visibility, and better cooperation between the police officer and the residents. And everyone needs to be thanked and commended for this, Mayor Masloff for her initiative and every member of this Pittsburgh City Council for all of your initiatives in not only discussing it but properly funding the program itself.

There also will be a reception in the evening and for details I would ask the residents to contact the Mayor's Office at 255-2626. But I would like now to officially invite all of my members of City Council, Mr. Cohen, Mr. Darkins, Mr. Ferlo, Michelle Madoff, Mr. O'Connor, Mr. Onorato and Mr. Wagner. Hopefully all of you can be there this Wednesday at 9:30 in the South Oakland neighborhood. Thank you.

The Chair:

Is it Wednesday or Thursday?

Mr. Ricciardi:

Unless they changed it, on Friday afternoon it was Wednesday at 9:30 a.m.

The Chair:

Thank you.

Mr. Cohen moved to approve the Minutes of Tuesday, March 23, 1993.

Mr. O'Connor seconded the motion.

Which motion prevailed.

And on the motion of **Mr. Ferlo**

Council adjourned.

MUNICIPAL RECORD

Proceedings of the Council of the City of Pittsburgh

VOL. CXXVII

Tuesday, April 13, 1993

No. 15

Municipal Record

ONE-HUNDRED TWENTY-SEVENTH COUNCIL

JACK WAGNER President
MICHAEL PERRY City Clerk
LINDA M. JOHNSON-WASLER.... Asst. City Clerk

Pittsburgh, PA
Tuesday, April 13, 1993

PRESENT:

MR. COHEN	MR. O'CONNOR
MR. DARKINS	MR. ONORATO
MR. FERLO	MR. RICCIARDI
MICHELLE MADOFF	MR. WAGNER

(Pres't)

The Meeting was opened by the recitation of the Pledge of Allegiance to the Flag of the United States of America, and a moment of silent prayer for peace throughout the world.

I pledge allegiance to the Flag of the United States of America and to the Republic for which it stands, one Nation, under God, indivisible, with liberty and justice for all.

PRESENTATIONS

Mr. Cohen:

Will everybody from the Human Relations Commission, HUD, and the three women that we're going to be honoring today please come up, plus their families and everybody else?

Mr. President and Members of Council, I have a very, very special proclamation this morning. Actually, we have three proclamations this morning; one from City Council, one from the Human Relations Commission of the City of Pittsburgh, and one from the Department of Housing and Urban Development.

It's a little bit unusual so I'd appreciate it if you would bear with me this morning. This is really a very, very special occasion.

We're here to honor three women with courage, courage to take a stand against systematic racial discrimination practiced by a major leasing company in the East End of the City of Pittsburgh.

All three of these women that we are honoring today worked for that company which is well-known now, called NALCO. They are Jennifer Jakell, Jennifer Papale and Stephanie Maietta.

All three of them, as I said, worked for this company. Jennifer Jakell was Office

Manager and she also happens to live in Bloomfield but I won't go into that. Jennifer Papale was a Word Processor. And Stephanie Maietta was a Receptionist at this company.

They personally witnessed systematic racial discrimination. NALCO instructed employees in methods to identify African Americans, African American callers, by the neighborhoods they lived in and whether or not they took public transportation. They used secret codes to identify callers by race. They put codes on what are called lead sheets in the real estate business, in the apartment renting business, except for one problem: the employees at this company were told to throw those lead sheets that were identified as African American in the garbage.

This company ignored African American who happened to elude this screening process and showed up at apartments, they were ignored. And they routinely rejected African American job applicants who, as I understand it, made up about 40 to 50 percent of the job applicant pool. Four of NALCO's 80 employees were African American and they were all maintenance workers.

These women refused to engage in these practices and they did a lot more. They quit the firm. They quit the company. I'd like to read to you, if I could, and I hope this is okay, Jennifer, to read from your letter.

Jennifer Papale wrote a letter to the Human Relations Commission, and I believe it was in October of 1991.

"Dear Sirs:

I am writing to you with the hope that you can interject or put a stop to a terribly distressing, unfair, immoral, illegal situation which I am forced to witness daily at my job.

I am a word processor here at NALCO" and then she goes through what her duties are.

"The bottom line is, we are not allowed to even process applicants who are Black. I've been told to 'throw the lead sheets in the garbage' if they sounded Black on the phone. Definitely don't even let them come in for a test if they are Black.

Another rule is to circle the word 'call' on our telephone lead sheets. Our rental agents are told to strongly discourage Blacks wanting housing. I can name three or four incidents in the two and a half months of my employ here where they have blatantly denied apartments and interviews to people who were totally qualified just because of their no Blacks policy."

I'll skip a little bit here.

"I don't know what to do. I can't afford to quit. I'm a full-time evening college student. I must keep this job. But it makes me sick to have to participate in this daily."

Well, Jennifer Papale did quit her job and because of that letter that she wrote and because the two others here joined with her in opposing this horrible practice, the Human Relations Commission stepped in, the Department of Housing and Urban Development stepped in. And after a fairly long process, but a strong and firm process, they ultimately forced this company to give the highest monetary settlement in the history of Pittsburgh against discrimination, \$225,000, which is going to the Human Relations Commission, to the NAACP, to the greater Pittsburgh Community Housing Resource Board. They signed a settlement agreement in which they are forced to comply with the Fair Housing Act to make serious commitments or affirmative action including in renting and housing and in advertising. And my

understanding is, although Randy Forrester, the Chair, is here and might be able to elucidate more, but that the Human Relations Commission will continue to monitor their activities.

These three women, as you can see, I don't know if you can see but let me tell you, they're not lobbyists. They are not activists. But they saw something that was morally wrong and they took a stand against it. And because they did, I think they very much deserve us honoring them today. It's that stand against injustice that really did our City proud.

That having been said, I'd like to read this resolution.

Mr. Cohen presents

No. 2460 WHEREAS, Jennifer Papale, Jennifer Jakell and Stephanie Maietta, former employees of the National Apartment Leasing Corporation, had the courage and integrity to blow the whistle on the racially discriminatory employment and apartment leasing practices used for years at NALCO; and

WHEREAS, these three brave, caring citizens risked harassment, threats of lawsuits, loss of friends, mental anguish, and the disruption of their lives in order to right a terrible wrong; and

WHEREAS, as a result of their heroic efforts, NALCO entered into a consent decree with the Human Relations Commission and the Federal Department of Housing and Urban Development in January of 1993 in which it agreed to cease its discriminatory practices, implement an affirmative action plan, and pay the sum of \$225,000 in settlement; and

WHEREAS, April is National Fair Housing Month and the 25th Anniversary of the Civil Rights Act of 1968.

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh hereby congratulates and commends Jennifer Papale, Jennifer Jakell and Stephanie Maietta for their moral courage and convictions in the face of terrible odds; and

BE IT FURTHER RESOLVED, that Pittsburgh City Council declares April 13, 1993 to be "Jennifer Papale, Jennifer Jakell and Stephanie Maietta Day" in the City of Pittsburgh.

Mr. Cohen moved to adopt the resolution.

Mr. Ferlo seconded the motion.

Which motion prevailed.

Mr. Cohen:

We have a number of people who are here today and, as I mentioned, there are two other proclamations that are coming; one from the Department of Housing and Urban Development and we're very, very fortunate to have Mr. Choice Edwards who is head of the local HUD office here today. Also, we have, of course, Randy Forrester, who is the head of the Human Relations Commission, the Chair of the Human Relations Commission. From the Human Relations Commission we also have Sofronia Harris who, as you all know, is the Executive Director. Lou Pincer, a Commissioner at the Human Relations Commission. Alma Speed Fox, who is on the Human Relations Commission. We also have Yancy Miles who did a lot of investigation on this case for the Human Relations Commission.

We have a few members of the families of the three women. Mr. and Mrs. Maietta. Thank you for coming down. Mr. Henry Papale who is Jennifer Papale's father.

So, without further ado, I'd like to turn

this over to Mr. Choice Edwards from the Department of Housing and Urban Development.

Mr. Edwards:

Thanks very much, Counselor.

First of all, I want to thank the parents who raised such lovely daughters, but also raised daughters who know the difference between right and wrong and are willing to do something about it.

To Jennifer and Stephanie and Jennifer, this is a first HUD Citizenship Award and it's a real pleasure for me to give it to you three ladies. And I hope that we'll have an opportunity to do this in years to come as well.

I really wanted to do this about a year ago but the justice is very slow, as you all know, in coming to fruition. And so now, this month celebrating a quarter of a century of the passage of the Fair Housing Month, it's really fitting that I take this opportunity to present the first Citizenship Award to these three ladies.

In order for evil to thrive it simply takes good women to do nothing. These ladies saw evil and decided to do something about it.

I hope this is a signal to others that if they witness discrimination of any kind that is illegal, immoral and unlawful, that they too will come forward as these three brave ladies did.

It's really a shame that after 25 years minorities still are discriminated against throughout this country. As a matter of fact, just last year there were over 453 cases of housing discrimination in Pennsylvania. And so far this year, since October, 269 cases of discrimination.

It is now time to overcome the racism that

plagues this country and I'm pleased for Jennifer and Stephanie and Jennifer to come forward and do their part.

I used to watch a television show many years ago called "Charlie's Angels". Well these three ladies now are HUD's Gardian Angels for coming forward. And on behalf of the Federal Government, on behalf of the Department of Housing and Urban Development, I'd like to present to each of them a plaque, and I'll read one of them. It says:

"The HUD Manager's Citizenship Award, in recognition of your courage and person commitment to further the fair housing of all Americans - April, 1993 - the 25th year of the passage of the Fair Housing Law."

Ladies, thank you very much.

Mr. Forrester:

The trouble with being last is how do you not be redundant.

I think that since coming on as a Human Relations Commissioner in this City, the thing that has astounded me most is the level of discrimination that continues. I think so many of us live in our day to day world and have no sense of this. I certainly didn't and I've been working in civil rights for a long time and still had no sense of the depth and level of discrimination in this City. I'm sure we're not unique; I'm sure it's the same all over the country. In any case, it's appalling.

I often hear, what can one person do. One person doesn't make a difference. Well I think the reason you're seeing such honoring today by so many arms and branches of government is that one person does make a difference. And in this case, these three women made an incredible difference for African Americans seeking housing in the City of Pittsburgh. I think they've

changed forever the complexion of discrimination in this City.

It will be a long time, I think, before a real estate company or a rental firm thinks about such systematic discrimination again. People have sat up and taken notice of this case and it's really due to the courage of these young women coming forward.

So, on behalf of the City's Commission on Human Relations, again, let me read one more plaque to you, presented to Jennifer Papale, Jennifer Jakell and Stephanie Maietta.

"In sincere appreciation for your unwavering convictions which placed the interests of the entire community above your own and for taking positive action to ensure fair housing rights within the City of Pittsburgh. Presented April 13, 1993 - The Pittsburgh Commission on Human Relations commemorating the 25th Anniversary of the Civil Rights Act of 1968."

Thank you.

Mr. Cohen:

The three of you are so weighted down with proclamations I'm not sure you're able to move. But would any of you like to say a few words?

Michelle Madoff:

I'd like to know what you're going to do with your future.

Ms. Papale:

That's a good question. It took me about a year to find a job. I felt that a lot of companies felt that I was a troublemaker because of what I did and didn't want to hire me, which was fine

because I wouldn't want to work for them if they didn't. Who knows? Maybe I'll get a job in the government.

I'm not sure what I'm going to do with my future. Right now I'm at Blue Cross of Western Pennsylvania.

I'd like to thank everyone very much for this. It's good to know that what we did was appreciated. We've been through a lot, it's been very stressful, and I'm glad that we were able to do it. Hopefully it will not happen again with this company. Hopefully they've stopped.

Thank you very much.

Ms. Maietta:

Right now I'm a full-time graduate student in the Linguistics Department at Pitt and I'm working towards, hopefully, a Ph.D. I'd like to work with linguistic minority communities and help them with language maintenance.

As for the awards, I really appreciate the recognition but I guess it makes me sad to think that what I did deserves recognition and it's not something ordinary.

Ms. Jakell:

I agree with Stephanie. I feel kind of embarrassed that I'm getting awarded for doing something that there was not doubt in my mind I was going to do.

I wanted to thank my Dad and my Mom for coming here today because they're the ones who instilled this belief in me that racism is disgusting and there's no excuse for it to be going on in any century.

I'm the Director of Development for a non-profit United Way agency right now and I do

public relations and fundraising and advertising, and that's what I want to do. So, I'll probably continue to do that.

Thank you very much.

Michelle Madoff:

You know, we hear so much about our youth and the trouble they cause and the problems in society. But you are going to be a role model for youth for many years to come. You know, telling the truth has it's price; it isn't easy, as you pointed out. It's tough to get a job. But you have to live with yourself and you should take great pride in yourself.

Mr. Cohen:

Thank you all very much.

Michelle Madoff:

Would Bill Knight, John Stokes, Travis Wieckowski and Jill Ziolkowski please step forward?

This is another example of what caring and getting our youth involved and the impact it can make on society.

Michelle Madoff presents

No. 2461 WHEREAS, Explorer Post and Ship 313 is a program of the southwest communities of the City of Pittsburgh which has flourished from concept to a group of 75 members currently; and

WHEREAS, the afterschool program is facilitated by the Langley High School P.T.S.A. to meet the needs and interests of the serviced communities; and

WHEREAS, Explorer Post and Ship 313

prepares young adults for responsible citizenship in their future endeavors by measuring each member's physical growth through sports and activities free of chemical or substance dependence and social growth by providing the opportunity for leadership development with their peer group, preparing them for leadership in the workplace and the communities where they live; and

WHEREAS, on May 6, 1993 at the Westin William Penn, four members will receive national recognition for their achievement and efforts:

Bill Knight
Explorer Leadership Award
Explorer Achievement Award

John J. Stokes
Explorer Achievement Award

Travis Wieckowski
Explorer Achievement Award

Jill Ziolkowski
Explorer Leadership Award
Explorer Achievement Award

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh hereby recognizes these four fine young adults for their outstanding contributions of leadership.

Michelle Madoff moved to adopt the resolution.

Mr. O'Connor seconded the motion.

Which motion prevailed.

Michelle Madoff:

I would like to ask the person who really is responsible for much of this happening and the

dedication and time to make the first comment, and that is Paul.

Speaker:

Meeting two of these members only three years ago, this program is probably unique in the way that it's handled through the City here. The Langley High School PTSA is, in fact, the sponsor of this program but this program is actually owned by the youth membership themselves. Sometimes there's a problem for speeding program, talk about Weed and Seed. For speeding is something to young adults who really don't have any involvement with it. They don't have any ownership.

Well, this program is actually owned by these members here. They're four of the officers of the group. I've been proud to work with them the last few years. They're all off to higher education coming this fall, but there are younger members coming up through the program to serve those leadership roles.

We have been the one program over in our end that has really worked to help the young adults over here. We'll continue and each year we'll flourish with new young adults from the community.

I don't know what else to say, Michelle, but actually the recognition belongs to the members. And actually, they're earning the national awards which they're going to be getting next month at the Westin William Penn.

Speaker:

I'd just like to say thank you to Council for giving me this award. I'm really speechless.

Michelle Madoff:

Again, this is an example of how getting

youth involved keeps us from having the terrible problems that we perceive to have with youth.

You know, most kids are wonderful. Just like everything else, there's a small core of bad seeds that spoils it for everybody else. And it's so refreshing to see wonderful young people coming forward and having accomplished so much.

I thank you very much for coming today.

Mr. Onorato:

I'd like to call up the North Catholic Girls' Basketball Team and the Coaches.

And to Reverend Darkins, it's time for my Alma Mater today.

I want to thank the team for coming down today and Head Coach Don Barth, Assistant Coach Bob Darkey, Assistant Coach Dave Lyons, and Assistant Athletic Director Ken Bellas for being here today and the entire team.

This is nothing short of having a dynasty up on Troy Hill on the North Side, state-wide too, not just in the City. This is unbelievable what has happened at North Catholic since girls were first permitted in North Catholic in 1972.

Let me read this proclamation and I think you'll have an understanding of what we're talking about.

Mr. Onorato presents

No. 2462 WHEREAS, on March 16, 1993, the North Catholic Trojanettes, led by Head Coach Don Barth, played in an unprecedented 16th consecutive WPIAL championship game; and

WHEREAS, Coach Barth has amassed

an exceptional career record of 698 wins and 128 losses for an 85% winning percentage and was the first recipient of the Pittsburgh Post Gazette's Girls' Basketball Coach of the Year; and

WHEREAS, in that game, the Trojanettes defeated Seton LaSalle 63-50 to capture the WPIAL Class AAA Girls' Basketball Championship, the ninth WPIAL title won by North Catholic; and

WHEREAS, on April 3, 1993, in their seventh state championship appearance, the Trojanettes defeated Bethlehem Catholic 62-42 at Hershey Park Arena to win the PIAA Class AAA Girls' Basketball title, the fifth state championship won by North Catholic, who also won in 1980, 1983, 1984 and 1988; and

WHEREAS, team members are Melissa Brown, Peggy Byrnes, Colleen Cook, Jen Cribbins, Laura Cribbins, Betsy Duckett, Kelly Eberhardt, Eryn Ivnik, Maureen Lyons, Meghan Miller, Jackie Porac, Roberta Porco, Erin Riggie, Mary Tuinstra, Kelli Vincenzo and Madeline Wahl; and

WHEREAS, the championships, the success and a 30-2 overall record can be directly attributed to the dedication, determination and hard work displayed by both the team and the coaching staff.

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh hereby recognizes and congratulates the North Catholic Trojanettes, led by Head Coach Don Barth, for winning both the WPIAL and the PIAA Class AAA Girls' Basketball Championships.

Mr. Onorato moved to adopt the resolution.

Mr. Ricciardi seconded the motion.

Which motion prevailed.

Mr. Onorato:

At this point I'd like to have someone from the team come forward and say a few things to Council.

Speaker:

On behalf of the North Catholic Trojanettes and our Coaches, we'd like to thank you, Dan Onorato and City Council, for having us down here today. Thanks.

Mr. Onorato:

The Coach doesn't like doing this but with that record, Coach, you have to say a few words.

Coach Barth:

I'm a City employee just like everybody else here. I'm a Northsider and a City policeman and I have been for 30 years. It's a great place to work and I appreciate Council having us down here. Thank you very much.

Mr. Darkins:

I'd like to say to this very fine basketball team here that as the President of the Champions Association City-wide, it was a cliché that we have, a motto that we use, and it says that champions are not born - they are made. And you all have definitely exhibited that.

As from the female agenda, I hope that you will continue to carry it on in life. Our Councilwoman, Michelle Madoff, sits here as our only female on City Council. And she is one that I admire, not that I'm trying to give her any flowers today. But as you look at your future, look at Councilwoman Michelle Madoff, a

woman that is doing an outstanding job, as you have done today. Thank you.

The Chair:

Coach, I believe this is the third time we've had you in Council over the last eight or nine years. Congratulations for the third time. It's a phenomenal record; three State Championships in the last ten years.

Mr. O'Connor:

We have with us Tamar Baum Rosenfeld and Jeff Letwin from the Holocaust Center. Would they please come up?

Mr. O'Connor, Mr. Cohen and Michelle Madoff present

No. 2463 WHEREAS, only half a century has passed since the world stood silent during history's darkest chapter, the Holocaust, which was the systematic, bureaucratic extermination of six million Jews by the Nazis, as part of official government policy during the Second World War; and

WHEREAS, as millions of other innocent men, women and children also perished as victims of this unprecedented annihilation of an entire people, it is critical that these atrocities are never forgotten so that they are never repeated; and

WHEREAS, to commemorate the first organized resistance in Nazi Europe, the Jews' courageous uprising from the Warsaw Ghetto in April, 1943, against their German oppressors, the Holocaust Center of the United Jewish Federation of Pittsburgh plans to begin its annual Yom Hashoah Commemoration, a community-wide observance, on Sunday, April 18th, at Tree of Life Congregation, focusing on this year's theme, "50 Years Since the Warsaw Ghetto

Uprising: Resistance Ghetto and Camp Life".

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh does hereby commend the Holocaust Center of Pittsburgh for carrying out its critical mission of reminding every generation of the horrors of the Holocaust, and further, of demanding that we teach its lessons so that mankind will never know another Holocaust.

BE IT FURTHER RESOLVED, that the Council of the City of Pittsburgh solemnly proclaims April 18 through April 25, 1993 as "Holocaust Remembrance Week" in the City of Pittsburgh.

Mr. O'Connor moved to adopt the resolution.

Mr. Cohen seconded the motion.

Which motion prevailed.

Mr. O'Connor:

I don't know that I am qualified to speak on this subject, but I was at the ceremony last year and it was very emotional and very touching. I think it would be beneficial for anyone to see this to remember it. As we see, discrimination certainly hasn't changed. We just had it here a couple minutes ago, signs of it.

It still amazes me when I was young reading in the history books in school about the Holocaust and the atrocities of the war. You thought, as a youngster, that it happened thousands of years ago. And yet, I'm 48 years old and I'm looking at this just happening in our lifetime and it still boggles my mind that something like this could actually happen in this generation.

We really appreciate what you're doing and hopefully you'll continue so that we all learn

from it.

Mr. Cohen:

This is, I think, a very important resolution and, if any of you have not visited the Holocaust Center, I think you should because what they're doing there is tremendous work.

We have Jeff Letwin who is Chairman of the Holocaust Center and Tamar Baum who is head of the Yom Hashoah remembrance this year. They have a multitude of programs for kids, for adults, to learn about the Holocaust but, at the same time, it has a very modern significance.

Michelle and I were just talking a little bit about how even today there is to a much lesser degree but nevertheless a horrible situation going on in Yugoslavia with the Serbians participating in ethnic cleansing. That's really what this was 50 years ago; it was ethnic cleansing to a horribly tragic degree. But it's not just past history. It exists today too.

This remembrance this Sunday is going to be a really special event where there is going to be a cross section of people from all over the City. Children are going to be singing from the Community Day School. A man named Michael Barenbaum who is head of the Holocaust Center in Washington is going to be the keynote speaker. So, if you can make it at 7:00 at the Tree of Life on Sunday, please do. It will be a very special event.

Michelle Madoff:

I think it's important that I was not born Michelle Madoff. I was born Michelle Radzenski and I'm first generation. My father's family was wiped out and my mother's family were Rabbis in Europe who barely escaped.

I think it would be very befitting that on this Sunday we have people of all races who feel

that either their people are being discriminated against or who care about people who are being discriminated against to attend the event. This is not a Jewish issue. This could be Catholic, Serbian, homosexuals. This can be anyone and I urge everyone who cares to get out and show your solidarity.

Ms. Baum-Rosenfeld:

I'm kind of speechless after all that. I do want to thank the Council for having this proclamation. It means a great deal to all of us. And on behalf of the Holocaust Center and the United Jewish Federation, which the Holocaust is a part of, I want to thank you all for making this commemoration for us.

I also would like to urge everyone in the community to come. Again, it's at 7:00 Sunday night at Tree of Life and we'd like to see as many people as possible. Thank you very much.

Mr. Letwin:

The famous historian Santayana said that if we don't remember history we're doomed to repeat it. You can see what's happening in Eastern Europe is evidence of that. And this is within the past 50 years that we should see repetitions like this again.

It's also appropriate that City Council recognize the Holocaust Center this year. In Washington, D.C. the National Holocaust Memorial is opening. I strongly encourage everybody to go see it. It's going to be the largest in the world, even to rival that which is in Israel right now. Our center serves as a resource and outreach center on issues relating to the Holocaust and we reach out to all the Pittsburgh Public Schools, irrespective of any denomination.

We appreciate the recognition of the

work we're doing. Thank you.

Members of Council present

No. 2464 WHEREAS, the 14th Ward Democratic Club of the City of Pittsburgh has maintained a strong tradition of supporting and recognizing exemplary public service, progressive voting records, and conscientious constituent service; and

WHEREAS, William J. Coyne has, for the past twenty-two years, compiled an outstanding record of public service as a Councilman for the City of Pittsburgh and as a United States Congressman representing the 14th Congressional District in the United States House of Representatives; and

WHEREAS, William J. Coyne has been a dedicated and accessible Representative of the people of the City of Pittsburgh, ensuring that at all times our voices are heard, our needs and ideas are given just and appropriate consideration, and conducting himself in an exemplary manner, measuring up to the high standards that the public's trust is so deserving of; and

WHEREAS, on Saturday, April 17, 1993, the 14th Ward Democratic Club will host a dinner honoring Congressman Bill Coyne for his excellent record of public service and his commitment to his community and country.

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh joins with the 14th Ward Democratic Club in recognizing William J. Coyne and extends its appreciation for his many years of public service to the people of the City of Pittsburgh.

Mr. O'Connor moved to adopt the resolution.

Mr. Ferlo seconded the motion.

Which motion prevailed.

Mr. Cohen presented

No. 2246 Resolution providing for the issuance of a \$795.00 warrant in favor of Dwight G. Moore in settlement of claim for sidewalk damage due to City tree roots at 5300 Wilkins Avenue, payable from Code Account No. 46, Judgments.

Also,

No. 2247 Resolution providing for the issuance of a warrant in the sum of \$50,000.00 to Mary B. Gentile, Administratrix AD Prosequendum of the Estate of Robert L. Gentile, c/o Robert J. Donahoe, Manifesto & Donahoe, P.C., 1550 Koppers Building, 436 Seventh Avenue, Pgh., PA 15219-1818, in full and final settlement of the action filed at GD90-06493 alleging the wrongful death of Robert L. Gentile due to street car tracks on Second Avenue between the Armstrong Tunnels and Brady Street, on or about May 15, 1989, payable from Code Account No. 46, Judgments.

Also,

No. 2248 Resolution amending and supplementing Resolution No. 1346 of 1992, eff. Jan. 1, 1993, entitled: "Making appropriations to pay the expenses of conducting the Public Business of the City of Pittsburgh and for meeting the debt charges thereof for the fiscal year, beginning January 1, 1993," by making certain additions and corrections. ---**(SPONSORED BY MR. COHEN)**

Also,

No. 2249 Resolution amending and supplementing Resolution No. 1347 of 1992, eff. Jan. 1, 1993 entitled: "Resolution fixing the

number of officers and employees of the City of Pittsburgh, and the rate of compensation thereof, and setting minimum levels for designated positions," by making certain additions and corrections. --(SPONSORED BY MR. COHEN)

Which were severally read and referred to the Committee on Finance.

Mr. Darkins presented

No. 2250 Resolution authorizing the Director of the Department of Public Works to provide a Lease Agreement with Consolidated Rail Corporation granting the City a Lease Agreement for access to the Department of Public Works, Third Maintenance Division in the 12th Ward, 9th Council District of the City of Pittsburgh.

Which was read and referred to the Committee on Public Works.

Mr. Ferlo presented

No. 2251 An Ordinance amending the Pittsburgh Code, Title Nine, Zoning, Article III, Chapter 921, Section 921.02, Zoning District Map Nos. 7 and 12, by changing from "M3" Light Industrial District to "RP" Residential Planned Unit Development District all that certain property bounded by: Wharton Street; South 18th Street; Fox Way; and South 17th Street; 17th Ward. (Council District No. 3)

Which was read and referred to the Committee on Planning, Housing and Development.

Also,

No. 2252 Resolution providing for the issuance of a warrant in favor of The Hill House Association, 1835 Centre Avenue, Pittsburgh, PA 15219, in the amount of \$400.00 in payment

for professional services rendered to Councilman Jim Ferlo for the month of April 1993, chargeable to and payable from Code Account 1001-1, Misc. Services, Supplies, Equipment, etc., City Council, District 7, (Index Code 100115). --- (SPONSORED BY MR. FERLO)

Which was read and referred to the Committee on Finance.

Mr. Ferlo moved to suspend Rule 8 by providing for consideration of the bills only until or after the 8th calendar day following the meeting in which the bills were introduced so the bills will be on the agenda this Wednesday.

Mr. Ricciardi seconded the motion.

Which motion prevailed.

Also,

No. 2253 Resolution providing for an Agreement or Agreements with the Steel Valley Authority for operational/administrative expenses; maintenance; purchase of equipment; and/or minor rehabilitation of neighborhood facilities for the benefit of residents of the City of Pittsburgh, at a cost not to exceed \$2,000.00, chargeable to and payable from Code Account 1103 (110304) Miscellaneous Services, Department of City Planning.

Also,

No. 2254 Resolution providing for an Agreement or Agreements with Mt. Washington Community Corporation for operational/administrative expenses; maintenance; purchase of equipment; and/or minor rehabilitation of neighborhood facilities for the benefit of residents of the City of Pittsburgh, at a cost not to exceed \$1,000.00, chargeable to and payable from Code Account 1103 (110304) Miscellaneous Services,

Department of City Planning.

Also,

No. 2255 Resolution providing for an Agreement or Agreements with East Liberty Concerned Citizens for operational/administrative expenses; maintenance; purchase of equipment; and/or minor rehabilitation of neighborhood facilities for the benefit of residents of the City of Pittsburgh, at a cost not to exceed \$1,500.00, chargeable to and payable from Code Account 1103 (110304) Miscellaneous Services, Department of City Planning.

Also,

No. 2256 Resolution providing for an Agreement or Agreements with Spring Garden Neighborhood Council for operational/administrative expenses; maintenance; purchase of equipment; and/or minor rehabilitation of neighborhood facilities for the benefit of residents of the City of Pittsburgh, at a cost not to exceed \$10,000.00, chargeable to and payable from Code Account 1103 (110304) Miscellaneous Services, Department of City Planning.

Also,

No. 2257 Resolution providing for an Agreement or Agreements with West End Elliott Joint Project for operational/administrative expenses; maintenance; purchase of equipment; and/or minor rehabilitation of neighborhood facilities for the benefit of residents of the City of Pittsburgh, at a cost not to exceed \$3,500.00, chargeable to and payable from Code Account 1103 (110304) Miscellaneous Services, Department of City Planning.

Also,

No. 2258 Resolution providing for an Agreement or Agreements with South Side Children's Advisory Council for operational/administrative expenses; maintenance; purchase of equipment; and/or minor rehabilitation of neighborhood facilities for the benefit of residents of the City of Pittsburgh, at a cost not to exceed \$3,000.00, chargeable to and payable from Code Account 1103 (110304) Miscellaneous Services, Department of City Planning.

Also,

No. 2259 Resolution providing for an Agreement or Agreements with Hill District Civic Association operational/administrative expenses; maintenance; purchase of equipment; and/or minor rehabilitation of neighborhood facilities for the benefit of residents of the City of Pittsburgh, at a cost not to exceed \$5,000.00, chargeable to and payable from Code Account 1103 (110304) Miscellaneous Services, Department of City Planning.

Also,

No. 2260 Resolution providing for an Agreement or Agreements with St. George Food Bank for operational/administrative expenses; maintenance; purchase of equipment; and/or minor rehabilitation of neighborhood facilities for the benefit of residents of the City of Pittsburgh, at a cost not to exceed \$1,000.00, chargeable to and payable from Code Account 1103 (110304) Miscellaneous Services, Department of City Planning.

Also,

No. 2261 Resolution providing for an Agreement or Agreements with Bloomfield Block Watch for operational/administrative expenses; maintenance; purchase of equipment; and/or minor rehabilitation of neighborhood

facilities for the benefit of residents of the City of Pittsburgh, at a cost not to exceed \$4,000.00, chargeable to and payable from Code Account 1103 (110304) Miscellaneous Services, Department of City Planning.

Also,

No. 2262 Resolution providing for an Agreement or Agreements with Friendship Preservation Group for operational/administrative expenses; maintenance; purchase of equipment; and/or minor rehabilitation of neighborhood facilities for the benefit of residents of the City of Pittsburgh, at a cost not to exceed \$3,000.00, chargeable to and payable from Code Account 1103 (110304) Miscellaneous Services, Department of City Planning.

Also,

No. 2263 Resolution providing for an Agreement or Agreements with the Alleghenians, Ltd., for operational/administrative expenses; maintenance; purchase of equipment; and/or minor rehabilitation of neighborhood facilities for the benefit of residents of the City of Pittsburgh, at a cost not to exceed \$1,000.00, chargeable to and payable from Code Account 1103 (110304) Miscellaneous Services, Department of City Planning.

Also,

No. 2264 Resolution providing for an Agreement or Agreements with the Arthritis Foundation for operational/administrative expenses; maintenance; purchase of equipment; and/or minor rehabilitation of neighborhood facilities for the benefit of residents of the City of Pittsburgh, at a cost not to exceed \$1,000.00, chargeable to and payable from Code Account 1103 (110304) Miscellaneous Services,

Department of City Planning.

Also,

No. 2265 Resolution providing for an Agreement or Agreements with Caliguiri Hall Food Bank for operational/administrative expenses; maintenance; purchase of equipment; and/or minor rehabilitation of neighborhood facilities for the benefit of residents of the City of Pittsburgh, at a cost not to exceed \$1,000.00, chargeable to and payable from Code Account 1103 (110304) Miscellaneous Services, Department of City Planning.

Also,

No. 2266 Resolution providing for an Agreement or Agreements with Crafton Heights Open Door for operational/administrative expenses; maintenance; purchase of equipment; and/or minor rehabilitation of neighborhood facilities for the benefit of residents of the City of Pittsburgh, at a cost not to exceed \$1,000.00, chargeable to and payable from Code Account 1103 (110304) Miscellaneous Services, Department of City Planning.

Also,

No. 2267 Resolution providing for an Agreement or Agreements with Greater Pittsburgh VHF Society for operational/administrative expenses; maintenance; purchase of equipment; and/or minor rehabilitation of neighborhood facilities for the benefit of residents of the City of Pittsburgh, at a cost not to exceed \$1,000.00, chargeable to and payable from Code Account 1103 (110304) Miscellaneous Services, Department of City Planning.

Also,

No. 2268 Resolution providing for an

Agreement or Agreements with Preservation Pittsburgh for operational/administrative expenses; maintenance; purchase of equipment; and/or minor rehabilitation of neighborhood facilities for the benefit of residents of the City of Pittsburgh, at a cost not to exceed \$4,000.00, chargeable to and payable from Code Account 1103 (110304) Miscellaneous Services, Department of City Planning.

Also,

No. 2269 Resolution providing for an Agreement or Agreements with Senior Friends for operational/administrative expenses; maintenance; purchase of equipment; and/or minor rehabilitation of neighborhood facilities for the benefit of residents of the City of Pittsburgh, at a cost not to exceed \$2,000.00, chargeable to and payable from Code Account 1103 (110304) Miscellaneous Services, Department of City Planning.

Also,

No. 2270 Resolution providing for an Agreement or Agreements with Spring Hill Civic League for operational/administrative expenses; maintenance; purchase of equipment; and/or minor rehabilitation of neighborhood facilities for the benefit of residents of the City of Pittsburgh, at a cost not to exceed \$1,500.00, chargeable to and payable from Code Account 1103 (110304) Miscellaneous Services, Department of City Planning.

Also,

No. 2271 Resolution providing for an Agreement or Agreements with Thirtieth Ward Knoxville Block Watch for operational/administrative expenses; maintenance; purchase of equipment; and/or minor rehabilitation of neighborhood facilities for the benefit of residents of the City of

Pittsburgh, at a cost not to exceed \$1,000.00, chargeable to and payable from Code Account 1103 (110304) Miscellaneous Services, Department of City Planning.

Also,

No. 2272 Resolution providing for an Agreement or Agreements with Allentown Business Association for operational/administrative expenses; maintenance; purchase of equipment; and/or minor rehabilitation of neighborhood facilities for the benefit of residents of the City of Pittsburgh, at a cost not to exceed \$750.00, chargeable to and payable from Code Account 1103 (110304) Miscellaneous Services, Department of City Planning.

Also,

No. 2273 Resolution providing for an Agreement or Agreements with Allentown Civic Association for operational/administrative expenses; maintenance; purchase of equipment; and/or minor rehabilitation of neighborhood facilities for the benefit of residents of the City of Pittsburgh, at a cost not to exceed \$750.00, chargeable to and payable from Code Account 1103 (110304) Miscellaneous Services, Department of City Planning.

Also,

No. 2274 Resolution providing for an Agreement or Agreements with Apostolic Alliance Village for operational/administrative expenses; maintenance; purchase of equipment; and/or minor rehabilitation of neighborhood facilities for the benefit of residents of the City of Pittsburgh, at a cost not to exceed \$2,000.00, chargeable to and payable from Code Account 1103 (110304) Miscellaneous Services, Department of City Planning.

Also,

No. 2275 Resolution providing for an Agreement or Agreements with Brighton Heights Citizens Federation for operational/administrative expenses; maintenance; purchase of equipment; and/or minor rehabilitation of neighborhood facilities for the benefit of residents of the City of Pittsburgh, at a cost not to exceed \$1,500.00, chargeable to and payable from Code Account 1103 (110304) Miscellaneous Services, Department of City Planning.

Also,

No. 2276 Resolution providing for an Agreement or Agreements with Brookline Chamber of Commerce for operational/administrative expenses; maintenance; purchase of equipment; and/or minor rehabilitation of neighborhood facilities for the benefit of residents of the City of Pittsburgh, at a cost not to exceed \$2,500.00, chargeable to and payable from Code Account 1103 (110304) Miscellaneous Services, Department of City Planning.

Also,

No. 2277 Resolution providing for an Agreement or Agreements with Brookline Meals on Wheels for operational/administrative expenses; maintenance; purchase of equipment; and/or minor rehabilitation of neighborhood facilities for the benefit of residents of the City of Pittsburgh, at a cost not to exceed \$2,000.00, chargeable to and payable from Code Account 1103 (110304) Miscellaneous Services, Department of City Planning.

Also,

No. 2278 Resolution providing for an Agreement or Agreements with B'Nai Brith

Foundation for operational/administrative expenses; maintenance; purchase of equipment; and/or minor rehabilitation of neighborhood facilities for the benefit of residents of the City of Pittsburgh, at a cost not to exceed \$2,000.00, chargeable to and payable from Code Account 1103 (110304) Miscellaneous Services, Department of City Planning.

Also,

No. 2279 Resolution providing for an Agreement or Agreements with Deprived Poor Americans for operational/administrative expenses; maintenance; purchase of equipment; and/or minor rehabilitation of neighborhood facilities for the benefit of residents of the City of Pittsburgh, at a cost not to exceed \$1,000.00, chargeable to and payable from Code Account 1103 (110304) Miscellaneous Services, Department of City Planning.

Also,

No. 2280 Resolution providing for an Agreement or Agreements with East Boro Jewish War Vets for operational/administrative expenses; maintenance; purchase of equipment; and/or minor rehabilitation of neighborhood facilities for the benefit of residents of the City of Pittsburgh, at a cost not to exceed \$2,000.00, chargeable to and payable from Code Account 1103 (110304) Miscellaneous Services, Department of City Planning.

Also,

No. 2281 Resolution providing for an Agreement or Agreements with East End Discovery Block Club for operational/administrative expenses; maintenance; purchase of equipment; and/or minor rehabilitation of neighborhood facilities for the benefit of residents of the City of Pittsburgh, at a cost not to exceed \$500.00,

chargeable to and payable from Code Account 1103 (110304) Miscellaneous Services, Department of City Planning.

Also,

No. 2282 Resolution providing for an Agreement or Agreements with Esplen Citizens Council for operational/administrative expenses; maintenance; purchase of equipment; and/or minor rehabilitation of neighborhood facilities for the benefit of residents of the City of Pittsburgh, at a cost not to exceed \$3,000.00, chargeable to and payable from Code Account 1103 (110304) Miscellaneous Services, Department of City Planning.

Also,

No. 2283 Resolution providing for an Agreement or Agreements with Friends of Knoxville Library for operational/administrative expenses; maintenance; purchase of equipment; and/or minor rehabilitation of neighborhood facilities for the benefit of residents of the City of Pittsburgh, at a cost not to exceed \$1,000.00, chargeable to and payable from Code Account 1103 (110304) Miscellaneous Services, Department of City Planning.

Also,

No. 2284 Resolution providing for an Agreement or Agreements with Genesis for operational/administrative expenses; maintenance; purchase of equipment; and/or minor rehabilitation of neighborhood facilities for the benefit of residents of the City of Pittsburgh, at a cost not to exceed \$2,500.00, chargeable to and payable from Code Account 1103 (110304) Miscellaneous Services, Department of City Planning.

Also,

No. 2285 Resolution providing for an Agreement or Agreements with Health Education Center for operational/administrative expenses; maintenance; purchase of equipment; and/or minor rehabilitation of neighborhood facilities for the benefit of residents of the City of Pittsburgh, at a cost not to exceed \$1,000.00, chargeable to and payable from Code Account 1103 (110304) Miscellaneous Services, Department of City Planning.

Also,

No. 2286 Resolution providing for an Agreement or Agreements with Highland Park Community Dev/CDC Formation for operational/administrative expenses; maintenance; purchase of equipment; and/or minor rehabilitation of neighborhood facilities for the benefit of residents of the City of Pittsburgh, at a cost not to exceed \$5,000.00, chargeable to and payable from Code Account 1103 (110304) Miscellaneous Services, Department of City Planning.

Also,

No. 2287 Resolution providing for an Agreement or Agreements with the Intestinal Disease Foundation for operational/administrative expenses; maintenance; purchase of equipment; and/or minor rehabilitation of neighborhood facilities for the benefit of residents of the City of Pittsburgh, at a cost not to exceed \$2,000.00, chargeable to and payable from Code Account 1103 (110304) Miscellaneous Services, Department of City Planning.

Also,

No. 2288 Resolution providing for an Agreement or Agreements with the Kingsley Association for operational/administrative expenses; maintenance; purchase of equipment;

and/or minor rehabilitation of neighborhood facilities for the benefit of residents of the City of Pittsburgh, at a cost not to exceed \$3,000.00, chargeable to and payable from Code Account 1103 (110304) Miscellaneous Services, Department of City Planning.

Also,

No. 2289 Resolution providing for an Agreement or Agreements with North Side Meals on Wheels for operational/administrative expenses; maintenance; purchase of equipment; and/or minor rehabilitation of neighborhood facilities for the benefit of residents of the City of Pittsburgh, at a cost not to exceed \$1,000.00, chargeable to and payable from Code Account 1103 (110304) Miscellaneous Services, Department of City Planning.

Also,

No. 2290 Resolution providing for an Agreement or Agreements with the Poise Foundation for operational/administrative expenses; maintenance; purchase of equipment; and/or minor rehabilitation of neighborhood facilities for the benefit of residents of the City of Pittsburgh, at a cost not to exceed \$4,000.00, chargeable to and payable from Code Account 1103 (110304) Miscellaneous Services, Department of City Planning.

Also,

No. 2291 Resolution providing for an Agreement or Agreements with Project Impact - Hazelwood for operational/administrative expenses; maintenance; purchase of equipment; and/or minor rehabilitation of neighborhood facilities for the benefit of residents of the City of Pittsburgh, at a cost not to exceed \$5,000.00, chargeable to and payable from Code Account 1103 (110304) Miscellaneous Services, Department of City Planning.

Also,

No. 2292 Resolution providing for an Agreement or Agreements with Riverview Center Jewish Seniors for operational/administrative expenses; maintenance; purchase of equipment; and/or minor rehabilitation of neighborhood facilities for the benefit of residents of the City of Pittsburgh, at a cost not to exceed \$1,500.00, chargeable to and payable from Code Account 1103 (110304) Miscellaneous Services, Department of City Planning.

Also,

No. 2293 Resolution providing for an Agreement or Agreements with Rosedale Block Cluster for operational/administrative expenses; maintenance; purchase of equipment; and/or minor rehabilitation of neighborhood facilities for the benefit of residents of the City of Pittsburgh, at a cost not to exceed \$1,000.00, chargeable to and payable from Code Account 1103 (110304) Miscellaneous Services, Department of City Planning.

Also,

No. 2294 Resolution providing for an Agreement or Agreements with St. Raphael's/Messiah Lutheran Food Bank for operational/administrative expenses; maintenance; purchase of equipment; and/or minor rehabilitation of neighborhood facilities for the benefit of residents of the City of Pittsburgh, at a cost not to exceed \$2,500.00, chargeable to and payable from Code Account 1103 (110304) Miscellaneous Services, Department of City Planning.

Also,

No. 2295 Resolution providing for an

Agreement or Agreements with Sheraden Community Council for operational/administrative expenses; maintenance; purchase of equipment; and/or minor rehabilitation of neighborhood facilities for the benefit of residents of the City of Pittsburgh, at a cost not to exceed \$1,000.00, chargeable to and payable from Code Account 1103 (110304) Miscellaneous Services, Department of City Planning.

Also,

No. 2296 Resolution providing for an Agreement or Agreements with South Oakland Citizens Council for operational/administrative expenses; maintenance; purchase of equipment; and/or minor rehabilitation of neighborhood facilities for the benefit of residents of the City of Pittsburgh, at a cost not to exceed \$2,000.00, chargeable to and payable from Code Account 1103 (110304) Miscellaneous Services, Department of City Planning.

Also,

No. 2297 Resolution providing for an Agreement or Agreements with South Point Breeze Citizens Organizations for operational/administrative expenses; maintenance; purchase of equipment; and/or minor rehabilitation of neighborhood facilities for the benefit of residents of the City of Pittsburgh, at a cost not to exceed \$4,000.00, chargeable to and payable from Code Account 1103 (110304) Miscellaneous Services, Department of City Planning.

Also,

No. 2298 Resolution providing for an Agreement or Agreements with Three Rivers Labor Management for operational/administrative expenses; maintenance; purchase of equipment; and/or

minor rehabilitation of neighborhood facilities for the benefit of residents of the City of Pittsburgh, at a cost not to exceed \$500.00, chargeable to and payable from Code Account 1103 (110304) Miscellaneous Services, Department of City Planning.

Also,

No. 2299 Resolution providing for an Agreement or Agreements with Twenty Ninth Ward Carrick Block Watch for operational/administrative expenses; maintenance; purchase of equipment; and/or minor rehabilitation of neighborhood facilities for the benefit of residents of the City of Pittsburgh, at a cost not to exceed \$1,500.00, chargeable to and payable from Code Account 1103 (110304) Miscellaneous Services, Department of City Planning.

Also,

No. 2300 Resolution providing for an Agreement or Agreements with Urban Youth Action for operational/administrative expenses; maintenance; purchase of equipment; and/or minor rehabilitation of neighborhood facilities for the benefit of residents of the City of Pittsburgh, at a cost not to exceed \$2,000.00, chargeable to and payable from Code Account 1103 (110304) Miscellaneous Services, Department of City Planning.

Also,

No. 2301 Resolution providing for an Agreement or Agreements with West End Elliott Citizens Council for operational/administrative expenses; maintenance; purchase of equipment; and/or minor rehabilitation of neighborhood facilities for the benefit of residents of the City of Pittsburgh, at a cost not to exceed \$3,500.00, chargeable to and payable from Code Account 1103 (110304) Miscellaneous Services,

Department of City Planning.

Also,

No. 2302 Resolution providing for an Agreement or Agreements with Wightman School-Carriage House for operational/administrative expenses; maintenance; purchase of equipment; and/or minor rehabilitation of neighborhood facilities for the benefit of residents of the City of Pittsburgh, at a cost not to exceed \$3,000.00, chargeable to and payable from Code Account 1103 (110304) Miscellaneous Services, Department of City Planning.

Also,

No. 2303 Resolution providing for an Agreement or Agreements with Generations Together for operational and/or administrative expenses, including purchase of equipment or materials, for the benefit of low-moderate income residents of the City of Pittsburgh, at a cost not to exceed \$13,000.00.

Also,

No. 2304 Resolution providing for an Agreement or Agreements with Jewish Community Center for operational and/or administrative expenses, including purchase of equipment or materials, for the benefit of low-moderate income residents of the City of Pittsburgh, at a cost not to exceed \$30,000.00.

Also,

No. 2305 Resolution providing for an Agreement or Agreements with Persad for operational and/or administrative expenses, including purchase of equipment or materials, for the benefit of low-moderate income residents of the City of Pittsburgh, at a cost not to exceed \$36,500.00.

Also,

No. 2306 Resolution providing for an Agreement or Agreements with Womens Center and Shelter for operational and/or administrative expenses, including purchase of equipment or materials, for the benefit of low-moderate income residents of the City of Pittsburgh, at a cost not to exceed \$47,000.00.

Also,

No. 2307 Resolution providing for an Agreement or Agreements with Jewish Family & Childrens Service for operational and/or administrative expenses, including purchase of equipment or materials, for the benefit of low-moderate income residents of the City of Pittsburgh, at a cost not to exceed \$29,000.00.

Also,

No. 2308 Resolution providing for an Agreement or Agreements with Pittsburgh Blind Association for operational and/or administrative expenses, including purchase of equipment or materials, for the benefit of low-moderate income residents of the City of Pittsburgh, at a cost not to exceed \$33,000.00.

Also,

No. 2309 Resolution providing for an Agreement or Agreements with Pittsburgh Action Against Rape for operational and/or administrative expenses, including purchase of equipment or materials, for the benefit of low-moderate income residents of the City of Pittsburgh, at a cost not to exceed \$63,054.00.

Also,

No. 2310 Resolution providing for an Agreement or Agreements with Steel Valley

Authority for operational and/or administrative expenses of their agency involved in a variety of community/economic development activities, at a cost not to exceed \$43,500.00.

Also,

No. 2311 Resolution providing for an Agreement or Agreements with the Western Pennsylvania Conservancy for the Community Self-Help Beautification and Community Gardening Programs in Community Development Neighborhoods, and for the development of floral beds on highly visible, vacant lots in the City at a cost not to exceed \$50,000.00.

Also,

No. 2312 Resolution providing for an Agreement or Agreements with the Better Block Development Corporation for administrative and/or development assistance in the construction of low-moderate income housing units in the Homewood neighborhood, at a cost not to exceed \$10,000.00.

Also,

No. 2313 Resolution providing for an Agreement or Agreements with Hazelwood Glenwood Glen Hazel Council for operational and/or administrative expenses, including purchase of equipment or materials, for the benefit of low-moderate income residents of the City of Pittsburgh, at a cost not to exceed \$11,177.00.

Also,

No. 2314 Resolution providing for an Agreement or Agreements with Health Education Center for operational and/or administrative expenses, including purchase of equipment or materials, for the benefit of low-

moderate income residents of the City of Pittsburgh, at a cost not to exceed \$1,750.00.

Also,

No. 2315 Resolution providing for an Agreement or Agreements with Heavenly Visions Ministries for operational and/or administrative expenses, including purchase of equipment or materials, for the benefit of low-moderate income residents of the City of Pittsburgh, at a cost not to exceed \$1,164.00.

Also,

No. 2316 Resolution providing for an Agreement or Agreements with the Hill District Ministries for operational and/or administrative expenses, including purchase of equipment or materials, for the benefit of low-moderate income residents of the City of Pittsburgh, at a cost not to exceed \$7,000.00.

Also,

No. 2317 Resolution providing for an Agreement or Agreements with Hilltop/Mt. Washington Meals on Wheels for operational and/or administrative expenses, including purchase of equipment or materials, for the benefit of low-moderate income residents of the City of Pittsburgh, at a cost not to exceed \$4,000.00.

Also,

No. 2318 Resolution providing for an Agreement or Agreements with Homewood Brushton Community Improvement Association for operational and/or administrative expenses, including purchase of equipment or materials, for the benefit of low-moderate income residents of the City of Pittsburgh, at a cost not to exceed \$5,000.00.

Also,

No. 2319 Resolution providing for an Agreement or Agreements with Jewish Home for the Aged, Riverview Center for operational and/or administrative expenses, including purchase of equipment or materials, for the benefit of low-moderate income residents of the City of Pittsburgh, at a cost not to exceed \$10,000.00.

Also,

No. 2320 Resolution providing for an Agreement or Agreements with Just Inn Transition for minor rehabilitation, operating or administrative expenses, at a cost not to exceed \$2,500.00.

Also,

No. 2321 Resolution providing for an Agreement or Agreements with Lawrenceville Block Watch Network for operational and/or administrative expenses, including purchase of equipment or materials, for the benefit of low-moderate income residents of the City of Pittsburgh, at a cost not to exceed \$3,777.00.

Also,

No. 2322 Resolution providing for an Agreement or Agreements with Lawrenceville/Bloomfield Meals on Wheels for operational and/or administrative expenses, including purchase of equipment or materials, for the benefit of low-moderate income residents of the City of Pittsburgh, at a cost not to exceed \$4,000.00.

Also,

No. 2323 Resolution providing for an Agreement or Agreements with Lawrenceville Citizens Council for operating and/or

administrative expenses of their agency involved in a variety of community/economic development activities, at a cost not to exceed \$5,000.00.

Also,

No. 2324 Resolution providing for an Agreement or Agreements with Lincoln, Larimer, Lemington, Belmar Revitalization Development Corporation for operating and/or administrative expenses of their agency involved in a variety of community/economic development activities, at a cost not to exceed \$25,000.00.

Also,

No. 2325 Resolution providing for an Agreement or Agreements with Manchesters Craftman's Guild for operational and/or administrative expenses, including purchase of equipment or materials, for the benefit of low-moderate income residents of the City of Pittsburgh, at a cost not to exceed \$15,000.00.

Also,

No. 2326 Resolution providing for an Agreement or Agreements with Manchester Youth Development for minor rehabilitation, operating or administrative expenses, at a cost not to exceed \$20,000.00.

Also,

No. 2327 Resolution providing for an Agreement or Agreements with Miryams for operational and/or administrative expenses, including purchase of equipment or materials, for the benefit of low-moderate income residents of the City of Pittsburgh, at a cost not to exceed \$2,000.00.

Also,

No. 2328 Resolution providing for an Agreement or Agreements with Mom's House for operational and/or administrative expenses, including purchase of equipment or materials, for the benefit of low-moderate income residents of the City of Pittsburgh, at a cost not to exceed \$17,000.00.

Also,

No. 2329 Resolution providing for an Agreement or Agreements with Negro Educational Drive for operational and/or administrative expenses, including purchase of equipment or materials, for the benefit of low-moderate income residents of the City of Pittsburgh, at a cost not to exceed \$5,500.00.

Also,

No. 2330 Resolution providing for an Agreement or Agreements with Neighborhood Centers for minor rehabilitation, operation or administrative expenses, at a cost not to exceed \$5,000.00.

Also,

No. 2331 Resolution providing for an Agreement or Agreements with Ninth Ward Youth Association for minor rehabilitation, operating or administrative expenses, at a cost not to exceed \$7,000.00.

Also,

No. 2332 Resolution providing for an Agreement or Agreements with Oakland Planning and Development for operating and/or administrative expenses of their agency involved in a variety of community/economic development activities, at a cost not to exceed \$2,000.00.

Also,

No. 2333 Resolution providing for an Agreement or Agreements with Ozanam Cultural Center for operational and/or administrative expenses, including purchase of equipment or materials, for the benefit of low-moderate income residents of the City of Pittsburgh, at a cost not to exceed \$15,000.00.

Also,

No. 2334 Resolution providing for an Agreement or Agreements with Perry Hilltop South CDC for operational and/or administrative expenses, including purchase of equipment or materials, for the benefit of low-moderate income residents of the City of Pittsburgh, at a cost not to exceed \$20,000.00.

Also,

No. 2335 Resolution providing for an Agreement or Agreements with Pittsburgh Aids Task Force for operational and/or administrative expenses, including purchase of equipment or materials, for the benefit of low-moderate income residents of the City of Pittsburgh, at a cost not to exceed \$5,000.00.

Also,

No. 2336 Resolution providing for an Agreement or Agreements with Pittsburgh Childrens Museum for operational and/or administrative expenses, including purchase of equipment or materials, for the benefit of low-moderate income residents of the City of Pittsburgh, at a cost not to exceed \$13,500.00, chargeable to and payable from the 1993 CDBG Program, "City Council".

Also,

No. 2337 Resolution providing for an

Agreement or Agreements with Pittsburgh Cultural Trust for operational and/or administrative expenses, including purchase of equipment or materials, for the benefit of low-moderate income residents of the City of Pittsburgh, at a cost not to exceed \$10,500.00, chargeable to and payable from the 1993 CDBG Program, "City Council".

Also,

No. 2338 Resolution providing for an Agreement or Agreements with Pittsburgh Literacy Initiative for operational and/or administrative expenses, including purchase of equipment or materials, for the benefit of low-moderate income residents of the City of Pittsburgh, at a cost not to exceed \$5,000.00, chargeable to and payable from the 1993 CDBG Program, "City Council".

Also,

No. 2339 Resolution providing for an Agreement or Agreements with Pittsburgh Recovery Systems - Homewood for operational and/or administrative expenses, including purchase of equipment or materials, for the benefit of low-moderate income residents of the City of Pittsburgh, at a cost not to exceed \$5,000.00, chargeable to and payable from the 1993 CDBG Program, "City Council".

Also,

No. 2340 Resolution providing for an Agreement or Agreements with Riverview Center for Jewish Seniors for operational and/or administrative expenses, including purchase of equipment or materials, for the benefit of low-moderate income residents of the City of Pittsburgh, at a cost not to exceed \$5,000.00, chargeable to and payable from the 1993 CDBG Program, "City Council".

Also,

No. 2341 Resolution providing for an Agreement or Agreements with Rosedale Block Cluster for minor rehabilitation, operating or administrative expenses, at a cost not to exceed \$5,000.00, chargeable to and payable from the 1993 CDBG Program, "City Council".

Also,

No. 2342 Resolution providing for an Agreement or Agreements with Saint Canice Child Care Center for operational and/or administrative expenses, including purchase of equipment or materials, for the benefit of low-moderate income residents of the City of Pittsburgh, at a cost not to exceed \$4,000.00, chargeable to and payable from the 1993 CDBG Program, "City Council".

Also,

No. 2343 Resolution providing for an Agreement or Agreements with St. Clair Athletic Association for minor rehabilitation, operating or administrative expenses, at a cost not to exceed \$4,000.00, chargeable to and payable from the 1993 CDBG Program, "City Council".

Also,

No. 2344 Resolution providing for an Agreement or Agreements with St. Clair Citizens Council for operational and/or administrative expenses, including purchase of equipment or materials, for the benefit of low-moderate income residents of the City of Pittsburgh, at a cost not to exceed \$1,000.00, chargeable to and payable from the 1993 CDBG Program, "City Council".

Also,

No. 2345 Resolution providing for an Agreement or Agreements with St. Mary's

Church Lawrenceville Arts Program for operational and/or administrative expenses, including purchase of equipment or materials, for the benefit of low-moderate income residents of the City of Pittsburgh, at a cost not to exceed \$5,000.00, chargeable to and payable from the 1993 CDBG Program, "City Council".

Also,

No. 2346 Resolution providing for an Agreement or Agreements with Salvation Army North Side for operational and/or administrative expenses, including purchase of equipment or materials, for the benefit of low-moderate income residents of the City of Pittsburgh, at a cost not to exceed \$2,000.00, chargeable to and payable from the 1993 CDBG Program, "City Council".

Also,

No. 2347 Resolution providing for an Agreement or Agreements with Shepherd Wellness Community for minor rehabilitation, operating or administrative expenses, at a cost not to exceed \$11,000.00, chargeable to and payable from the 1993 CDBG Program, "City Council".

Also,

No. 2348 Resolution providing for an Agreement or Agreements with Sheptysky Arms, Inc. for minor rehabilitation, operating or administrative expenses, at a cost not to exceed \$15,000.00, chargeable to and payable from the 1993 CDBG Program, "City Council".

Also,

No. 2349 Resolution providing for an Agreement or Agreements with Sickie Cell Society for operational and/or administrative expenses, including purchase of equipment or materials, for the benefit of low-moderate income

residents of the City of Pittsburgh, at a cost not to exceed \$10,113.00, chargeable to and payable from the 1993 CDBG Program, "City Council".

Also,

No. 2350 Resolution providing for an Agreement or Agreements with South Side Local Development Company for operational and/or administrative expenses, including purchase of equipment or materials, for the benefit of low-moderate income residents of the City of Pittsburgh, at a cost not to exceed \$14,000.00, chargeable to and payable from the 1993 CDBG Program, "City Council".

Also,

No. 2351 Resolution providing for an Agreement or Agreements with South Pittsburgh Economic Revitalization Team (SPERT) for operating and/or administrative expenses of their agency involved in a variety of community/economic development activities, at a cost not to exceed \$16,777.00, chargeable to and payable from the 1993 CDBG Program, "City Council".

Also,

No. 2352 Resolution providing for an Agreement or Agreements with Spring Garden Neighborhood Council for operational and/or administrative expenses of their agency involved in a variety of community/economic development activities, at a cost not to exceed \$30,000.00, chargeable to and payable from the 1993 CDBG Program, "City Council".

Also,

No. 2353 Resolution providing for an Agreement or Agreements with Sudden Infant Death Syndrome for operational and/or administrative expenses, including purchase of

equipment or materials, for the benefit of low-moderate income residents of the City of Pittsburgh, at a cost not to exceed \$21,784.00, chargeable to and payable from the 1993 CDBG Program, "City Council".

Also,

No. 2354 Resolution providing for an Agreement or Agreements with South Hills Interfaith Ministries for operational and/or administrative expenses, including purchase of equipment or materials, for the benefit of low-moderate income residents of the City of Pittsburgh, at a cost not to exceed \$1,000.00, chargeable to and payable from the 1993 CDBG Program, "City Council".

Also,

No. 2355 Resolution providing for an Agreement or Agreements with South West Pittsburgh CDC for operational and/or administrative expenses, including purchase of equipment or materials, for the benefit of low-moderate income residents of the City of Pittsburgh, at a cost not to exceed \$16,777.00, chargeable to and payable from the 1993 CDBG Program, "City Council".

Also,

No. 2356 Resolution providing for an Agreement or Agreements with the Urban League for operational and/or administrative expenses, including purchase of equipment or materials, for the benefit of low-moderate income residents of the City of Pittsburgh, at a cost not to exceed \$2,777.00, chargeable to and payable from the 1993 CDBG Program, "City Council".

Also,

No. 2357 Resolution providing for an Agreement or Agreements with Ursuline Center

for operational and/or administrative expenses, including purchase of equipment or materials, for the benefit of low-moderate income residents of the City of Pittsburgh, at a cost not to exceed \$12,000.00, chargeable to and payable from the 1993 CDBG Program, "City Council".

Also,

No. 2358 Resolution providing for an Agreement or Agreements with Vietnam Veterans Leadership Program for operational and/or administrative expenses, including purchase of equipment or materials, for the benefit of low-moderate income residents of the City of Pittsburgh, at a cost not to exceed \$16,000.00, chargeable to and payable from the 1993 CDBG Program, "City Council".

Also,

No. 2359 Resolution providing for an Agreement or Agreements with Vintage for operational and/or administrative expenses, including purchase of equipment or materials, for the benefit of low-moderate income residents of the City of Pittsburgh, at a cost not to exceed \$3,000.00, chargeable to and payable from the 1993 CDBG Program, "City Council".

Also,

No. 2360 Resolution providing for an Agreement or Agreements with Washington Heights Ecumenical Food Bank for operational and/or administrative expenses, including purchase of equipment or materials, for the benefit of low-moderate income residents of the City of Pittsburgh, at a cost not to exceed \$6,000.00, chargeable to and payable from the 1993 CDBG Program, "City Council".

Also,

No. 2361 Resolution providing for an

Agreement or Agreements with West End Elliott Joint Project for operating and/or administrative expenses of their agency involved in a variety of community/economic development activities, at a cost not to exceed \$20,000.00, chargeable to and payable from the 1993 CDBG Program, "City Council".

Also,

No. 2362 Resolution providing for an Agreement or Agreements with Westside Community Development Corporation for minor rehabilitation, operating or administrative expenses, at a cost not to exceed \$21,000.00, chargeable to and payable from the 1993 CDBG Program, "City Council".

Also,

No. 2363 Resolution providing for an Agreement or Agreements with Whale's Tale for operational and/or administrative expenses, including purchase of equipment or materials, for the benefit of low-moderate income residents of the City of Pittsburgh, at a cost not to exceed \$1,000.00, chargeable to and payable from the 1993 CDBG Program, "City Council".

Also,

No. 2364 Resolution providing for an Agreement or Agreements with YMCA Lower Hill Outreach for operational and/or administrative expenses, including purchase of equipment or materials, for the benefit of low-moderate income residents of the City of Pittsburgh, at a cost not to exceed \$6,000.00, chargeable to and payable from the 1993 CDBG Program, "City Council".

Also,

No. 2365 Resolution providing for an Agreement or Agreements with Youthbuild for

operational and/or administrative expenses, including purchase of equipment or materials, for the benefit of low-moderate income residents of the City of Pittsburgh, at a cost not to exceed \$10,000.00, chargeable to and payable from the 1993 CDBG Program, "City Council".

Also,

No. 2366 Resolution providing for an Agreement or Agreements with Arc House for minor rehabilitation, operating or administrative expenses, at a cost not to exceed \$2,000.00, chargeable to and payable from the 1993 CDBG Program, "City Council".

Also,

No. 2367 Resolution providing for an Agreement or Agreements with Arlington Meals on Wheels for operational and/or administrative expenses, including purchase of equipment or materials, for the benefit of low-moderate income residents of the City of Pittsburgh, at a cost not to exceed \$1,000.00, chargeable to and payable from the 1993 CDBG Program, "City Council".

Also,

No. 2368 Resolution providing for an Agreement or Agreements with Beltzhoover Neighborhood Council for operating and/or administrative expenses, of their agency involved in a variety of community/economic development activities, at a cost not to exceed \$4,000.00, chargeable to and payable from the 1993 CDBG Program, "City Council".

Also,

No. 2369 Resolution providing for an Agreement or Agreements with Bethan House Ministry for operational and/or administrative expenses, including purchase of equipment or materials, for the benefit of low-moderate income

residents of the City of Pittsburgh, at a cost not to exceed \$1,000.00, chargeable to and payable from the 1993 CDBG Program, "City Council".

Also,

No. 2370 Resolution providing for an Agreement or Agreements with Black Contractors Association for operational and/or administrative expenses, including purchase of equipment or materials, for the benefit of low-moderate income residents of the City of Pittsburgh, at a cost not to exceed \$4,750.00, chargeable to and payable from the 1993 CDBG Program, "City Council".

Also,

No. 2371 Resolution providing for an Agreement or Agreements with Black Vietnam Vets for operational and/or administrative expenses, including purchase of equipment or materials, for the benefit of low-moderate income residents of the City of Pittsburgh, at a cost not to exceed \$5,500.00, chargeable to and payable from the 1993 CDBG Program, "City Council".

Also,

No. 2372 Resolution providing for an Agreement or Agreements with Boys & Girls Club for operational and/or administrative expenses, including purchase of equipment or materials, for the benefit of low-moderate income residents of the City of Pittsburgh, at a cost not to exceed \$14,000.00, chargeable to and payable from the 1993 CDBG Program, "City Council".

Also,

No. 2373 Resolution providing for an Agreement or Agreements with Brashear Association (Henry Kauffman Center) for operational and/or administrative expenses, including purchase of equipment or materials, for

the benefit of low-moderate income residents of the City of Pittsburgh, at a cost not to exceed \$5,000.00, chargeable to and payable from the 1993 CDBG Program, "City Council".

Also,

No. 2374 Resolution providing for an Agreement or Agreements with Carebreak for operational and/or administrative expenses, including purchase of equipment or materials, for the benefit of low-moderate income residents of the City of Pittsburgh, at a cost not to exceed \$50,000.00, chargeable to and payable from the 1993 CDBG Program, "Department of City Planning".

Also,

No. 2375 Resolution providing for an Agreement or Agreements with Carriage House for minor rehabilitation, operating or administrative expenses, at a cost not to exceed \$8,000.00, chargeable to and payable from the 1993 CDBG Program, "City Council".

Also,

No. 2376 Resolution providing for an Agreement or Agreements with Carriage House - children's Center for minor rehabilitation, operating or administrative expenses, at a cost not to exceed \$1,000.00, chargeable to and payable from the 1993 CDBG Program, "City Council".

Also,

No. 2377 Resolution providing for an Agreement or Agreements with Center for Independent Living for operational and/or administrative expenses, including purchase of equipment or materials, for the benefit of low-moderate income residents of the City of Pittsburgh, at a cost not to exceed \$2,000.00,

chargeable to and payable from the 1993 CDBG Program, "City Council".

Also,

No. 2378 Resolution providing for an Agreement or Agreements with Center for Victims of Violent Crime for operational and/or administrative expenses, including purchase of equipment or materials, for the benefit of low-moderate income residents of the City of Pittsburgh, at a cost not to exceed \$30,000.00, chargeable to and payable from the 1993 CDBG Program, "Department of City Planning".

Also,

No. 2379 Resolution providing for an Agreement or Agreements with Chemical People Institute for operational and/or administrative expenses, including purchase of equipment or materials, for the benefit of low-moderate income residents of the City of Pittsburgh, at a cost not to exceed \$3,000.00, chargeable to and payable from the 1993 CDBG Program, "City Council".

Also,

No. 2380 Resolution providing for an Agreement or Agreements with Commission on Families for operational and/or administrative expenses, including purchase of equipment or materials, for the benefit of low-moderate income residents of the City of Pittsburgh, at a cost not to exceed \$100,000.00, chargeable to and payable from the 1993 CDBG Program, "Department of City Planning".

Also,

No. 2381 Resolution providing for an Agreement or Agreements with Council Care for operational and/or administrative expenses, including purchase of equipment or materials, for the benefit of low-moderate income residents of

the City of Pittsburgh, at a cost not to exceed \$5,000.00, chargeable to and payable from the 1993 CDBG Program, "City Council".

Also,

No. 2382 Resolution providing for an Agreement or Agreements with Dollar Energy Fund for operational and/or administrative expenses, including purchase of equipment or materials, for the benefit of low-moderate income residents of the City of Pittsburgh, at a cost not to exceed \$20,000.00, chargeable to and payable from the 1993 CDBG Program, "Department of City Planning".

Also,

No. 2383 Resolution providing for an Agreement or Agreements with Elder-Ado for operational and/or administrative expenses, including purchase of equipment or materials, for the benefit of low-moderate income residents of the City of Pittsburgh, at a cost not to exceed \$9,000.00, chargeable to and payable from the 1993 CDBG Program, "City Council".

Also,

No. 2384 Resolution providing for an Agreement or Agreements with Elizabeth Seton Center for operational and/or administrative expenses, including purchase of equipment or materials, for the benefit of low-moderate income residents of the City of Pittsburgh, at a cost not to exceed \$10,000.00, chargeable to and payable from the 1993 CDBG Program, "City Council".

Also,

No. 2385 Resolution providing for an Agreement or Agreements with Esplen Senior Citizens for operational and/or administrative expenses, including purchase of equipment or materials, for the benefit of low-moderate income

residents of the City of Pittsburgh, at a cost not to exceed \$14,000.00, chargeable to and payable from the 1993 CDBG Program, "City Council".

Also,

No. 2386 Resolution providing for an Agreement or Agreements with Fencing for Fund for operational and/or administrative expenses, including purchase of equipment or materials, for the benefit of low-moderate income residents of the City of Pittsburgh, at a cost not to exceed \$4,000.00, chargeable to and payable from the 1993 CDBG Program, "City Council".

Also,

No. 2387 Resolution providing for an Agreement or Agreements with Friendship Development Association for operating and/or administrative expenses of their agency involved in a variety of community/economic development activities, at a cost not to exceed \$6,000.00, chargeable to and payable from the 1993 CDBG Program, "City Council".

Also,

No. 2388 Resolution providing for an Agreement or Agreements with Garfield Can for operational and/or administrative expenses, including purchase of equipment or materials, for the benefit of low-moderate income residents of the City of Pittsburgh, at a cost not to exceed \$2,000.00, chargeable to and payable from the 1993 CDBG Program, "City Council".

Also,

No. 2389 Resolution providing for an Agreement or Agreements with Garfield Jubilee for operational and/or administrative expenses, including purchase of equipment or materials, for the benefit of low-moderate income residents of the City of Pittsburgh, at a cost not to exceed

\$12,000.00, chargeable to and payable from the 1993 CDBG Program, "City Council".

Also,

No. 2390 Resolution providing for an Agreement or Agreements with Golden Carriage for operational and/or administrative expenses, including purchase of equipment or materials, for the benefit of low-moderate income residents of the City of Pittsburgh, at a cost not to exceed \$4,000.00, chargeable to and payable from the 1993 CDBG Program, "City Council".

Also,

No. 2391 Resolution providing for an Agreement or Agreements with Grassroots Unlimited for operational and/or administrative expenses, including purchase of equipment or materials, for the benefit of low-moderate income residents of the City of Pittsburgh, at a cost not to exceed \$1,000.00, chargeable to and payable from the 1993 CDBG Program, "City Council".

Also,

No. 2392 Resolution providing for an Agreement or Agreements with Greater Pittsburgh Commission on Women for operational and/or administrative expenses, including purchase of equipment or materials, for the benefit of low-moderate income residents of the City of Pittsburgh, at a cost not to exceed \$10,000.00, chargeable to and payable from the 1993 CDBG Program, "City Council".

Also,

No. 2393 Resolution providing for an Agreement or Agreements with Greenfield Organization for operational and/or administrative expenses, including purchase of equipment or materials, for the benefit of low moderate income residents of the City of

Pittsburgh, at a cost not to exceed \$15,600.00, chargeable to and payable from the 1993 CDBG Program, "City Council".

Also,

No. 2394 Resolution providing for an Agreement or Agreements with Hunger Services for operational and/or administrative expenses, including purchase of equipment or materials, for the benefit of low-moderate income residents of the City of Pittsburgh, at a cost not to exceed \$55,000.00, chargeable to and payable from the 1993 CDBG Program, "Department of City Planning".

Also,

No. 2395 Resolution providing for an Agreement or Agreements with Pittsburgh Community Services Hunger Trust Fund for operational and/or administrative expenses, including purchase of equipment or materials, for the benefit of low-moderate income residents of the City of Pittsburgh, at a cost not to exceed \$200,000.00, chargeable to and payable from the 1993 CDBG Program, "Department of City Planning".

Also,

No. 2396 Resolution providing for an Agreement or Agreements with Pittsburgh Community Services Small Grant Program for operational and/or administrative expenses, including purchase of equipment or materials, for the benefit of low-moderate income residents of the City of Pittsburgh, at a cost not to exceed \$210,000.00, chargeable to and payable from the 1993 CDBG Program, "Department of City Planning".

Also,

No. 2397 Resolution providing for an

Agreement or Agreements with Pittsburgh Community Services - Safety Program for minor rehabilitation, operating or administrative expenses, at a cost not to exceed \$250,000.00, chargeable to and payable from the 1993 CDBG Program, "Department of City Planning".

Also,

No. 2398 Resolution providing for an Agreement or Agreements with Salvation Army Inebriate Program for operational and/or administrative expenses, including purchase of equipment or materials, for the benefit of low-moderate income residents of the City of Pittsburgh, at a cost not to exceed \$60,000.00, chargeable to and payable from the 1993 CDBG Program, "Department of City Planning".

Also,

No. 2399 Resolution providing for an Agreement or Agreements with United Cerebral Palsy Association for minor rehabilitation, operating or administrative expenses, at a cost not to exceed \$3,000.00, chargeable to and payable from the 1993 CDBG Program, "City Council".

Also,

No. 2400 Resolution providing for an Agreement or Agreements with West Neighborhoods Employment & Training Program for operating and/or administrative expenses of their agency involved in a variety of community/economic development activities, at a cost not to exceed \$20,000.00, chargeable to and payable from the 1993 CDBG Program, "Department of City Planning".

Also,

No. 2401 Resolution providing for an Agreement or Agreements with Western PA

Conservancy for operational and/or administrative expenses, including purchase of equipment or materials, for the benefit of low-moderate income residents of the City of Pittsburgh, at a cost not to exceed \$75,000.00, chargeable to and payable from the 1993 CDBG Program, "Department of City Planning".

Also,

No. 2402 Resolution providing for an Agreement or Agreements with Wightman School for minor rehabilitation, operating or administrative expenses, at a cost not to exceed \$40,000.00, chargeable to and payable from the 1993 CDBG Program, "Department of City Planning".

Also,

No. 2403 Resolution authorizing the URA of Pgh. to submit an application to the Pennsylvania Department of Community Affairs for a grant of Strategy 21 funds in the amount of \$17,750,000.00 for the Downtown Cultural District Development - Phase II. (Council District 6)

Also,

No. 2404 Resolution authorizing a Cooperation Agreement with the URA of Pgh. providing for the designation of \$17,750,000.00 in public and private investment in the Downtown Cultural District Development - Phase II as the local share for a grant applied for in an application for Strategy 21 funds filed with the Pennsylvania Department of Community Affairs and providing for the transfer from the City to the Authority of \$2,500,000.00, chargeable to and payable from the Downtown Cultural District - Phase II. (Council District 6)

Also,

No. 2405 Resolution providing for the execution of a Cooperation Agreement or Agreements with the URA of Pgh. for the performance of certain work in connection with the 1993-1994 CDBG Program at a cost not to exceed \$11,178,000.00.

Which were severally read and referred to the Committee on Planning, Housing and Development

Mr. O'Connor presented

No. 2406 Resolution providing for an Agreement or Agreements with Allegheny County Law Enforcement Office for the furnishing of professional services for the benefit of the residents of the City of Pittsburgh at a cost not to exceed \$1,500.00, chargeable to and payable from Code Account 1838 (183806) Miscellaneous Services, Recreation, Department of Parks and Recreation.

Also,

No. 2407 Resolution providing for an Agreement or Agreements with Arsenal Board of Trade for the furnishing of professional services for the benefit of the residents of the City of Pittsburgh at a cost not to exceed \$4,000.00, chargeable to and payable from Code Account 1838 (183806) Miscellaneous Services, Recreation, Department of Parks and Recreation.

Also,

No. 2408 Resolution providing for an Agreement or Agreements with Beechview Community Council for the furnishing of professional services for the benefit of the residents of the City of Pittsburgh at a cost not to exceed \$3,000.00, chargeable to and payable from Code Account 1838 (183806) Miscellaneous Services, Recreation, Department of Parks and Recreation.

Also,

No. 2409 Resolution providing for an Agreement or Agreements with Bloomfield Citizens Council for the furnishing of professional services for the benefit of the residents of the City of Pittsburgh at a cost not to exceed \$6,000.00, chargeable to and payable from Code Account 1838 (183806) Miscellaneous Services, Recreation, Department of Parks and Recreation.

Also,

No. 2410 Resolution providing for an Agreement or Agreements with Boys and Girls Club of Western Pennsylvania for the furnishing of professional services for the benefit of the residents of the City of Pittsburgh at a cost not to exceed \$2,500.00, chargeable to and payable from Code Account 1838 (183806) Miscellaneous Services, Recreation, Department of Parks and Recreation.

Also,

No. 2411 Resolution providing for an Agreement or Agreements with Brashear Association for the furnishing of professional services for the benefit of the residents of the City of Pittsburgh at a cost not to exceed \$10,000.00, chargeable to and payable from Code Account 1838 (183806) Miscellaneous Services, Recreation, Department of Parks and Recreation.

Also,

No. 2412 Resolution providing for an Agreement or Agreements with Bump Yes Athletic Association for the furnishing of professional services for the benefit of the residents of the City of Pittsburgh at a cost not to exceed \$7,000.00, chargeable to and payable from Code Account 1838 (183806)

Miscellaneous Services, Recreation, Department of Parks and Recreation.

Also,

No. 2413 Resolution providing for an Agreement or Agreements with Catholic Youth Association of Pittsburgh, Inc. for the furnishing of professional services for the benefit of the residents of the City of Pittsburgh at a cost not to exceed \$4,000.00, chargeable to and payable from Code Account 1838 (183806) Miscellaneous Services, Recreation, Department of Parks and Recreation.

Also,

No. 2414 Resolution providing for an Agreement or Agreements with City Theatre for the furnishing of professional services for the benefit of the residents of the City of Pittsburgh at a cost not to exceed \$6,000.00, chargeable to and payable from Code Account 1838 (183806) Miscellaneous Services, Recreation, Department of Parks and Recreation.

Also,

No. 2415 Resolution providing for an Agreement or Agreements with Elliot West End Athletic Association for the furnishing of professional services for the benefit of the residents of the City of Pittsburgh at a cost not to exceed \$3,500.00, chargeable to and payable from Code Account 1838 (183806) Miscellaneous Services, Recreation, Department of Parks and Recreation.

Also,

No. 2416 Resolution providing for an Agreement or Agreements with Federation of War Vets for the furnishing of professional services for the benefit of the residents of the City of Pittsburgh at a cost not to exceed \$1,800.00,

chargeable to and payable from Code Account 1838 (183806) Miscellaneous Services, Recreation, Department of Parks and Recreation.

Also,

No. 2417 Resolution providing for an Agreement or Agreements with Morningside Little Vikings for the furnishing of professional services for the benefit of the residents of the City of Pittsburgh at a cost not to exceed \$1,000.00, chargeable to and payable from Code Account 1838 (183806) Miscellaneous Services, Recreation, Department of Parks and Recreation.

Also,

No. 2418 Resolution providing for an Agreement or Agreements with Lincoln Place Youth Athletic Association for the furnishing of professional services for the benefit of the residents of the City of Pittsburgh at a cost not to exceed \$1,000.00, chargeable to and payable from Code Account 1838 (183806) Miscellaneous Services, Recreation, Department of Parks and Recreation.

Also,

No. 2419 Resolution providing for an Agreement or Agreements with Homewood Brushton Stingers Association for the furnishing of professional services for the benefit of the residents of the City of Pittsburgh at a cost not to exceed \$2,000.00, chargeable to and payable from Code Account 1838 (183806) Miscellaneous Services, Recreation, Department of Parks and Recreation.

Also,

No. 2420 Resolution providing for an Agreement or Agreements with Homewood Brushton Athletic Association for the furnishing of professional services for the benefit of the

residents of the City of Pittsburgh at a cost not to exceed \$2,000.00, chargeable to and payable from Code Account 1838 (183806) Miscellaneous Services, Recreation, Department of Parks and Recreation.

Also,

No. 2421 Resolution providing for an Agreement or Agreements with Homewood Art Museum for the furnishing of professional services for the benefit of the residents of the City of Pittsburgh at a cost not to exceed \$1,000.00, chargeable to and payable from Code Account 1838 (183806) Miscellaneous Services, Recreation, Department of Parks and Recreation.

Also,

No. 2422 Resolution providing for an Agreement or Agreements with Hazelwood Little League for the furnishing of professional services for the benefit of the residents of the City of Pittsburgh at a cost not to exceed \$1,000.00, chargeable to and payable from Code Account 1838 (183806) Miscellaneous Services, Recreation, Department of Parks and Recreation.

Also,

No. 2423 Resolution providing for an Agreement or Agreements with Greenfield Organization Soccer for the furnishing of professional services for the benefit of the residents of the City of Pittsburgh at a cost not to exceed \$1,000.00, chargeable to and payable from Code Account 1838 (183806) Miscellaneous Services, Recreation, Department of Parks and Recreation.

Also,

No. 2424 Resolution providing for an Agreement or Agreements with Greenfield Football Organization for the furnishing of

professional services for the benefit of the residents of the City of Pittsburgh at a cost not to exceed \$1,000.00, chargeable to and payable from Code Account 1838 (183806) Miscellaneous Services, Recreation, Department of Parks and Recreation.

Also,

No. 2425 Resolution providing for an Agreement or Agreements with Greenfield Baseball Association for the furnishing of professional services for the benefit of the residents of the City of Pittsburgh at a cost not to exceed \$1,000.00, chargeable to and payable from Code Account 1838 (183806) Miscellaneous Services, Recreation, Department of Parks and Recreation.

Also,

No. 2426 Resolution providing for an Agreement or Agreements with George "Dew" Brown Summer League for the furnishing of professional services for the benefit of the residents of the City of Pittsburgh at a cost not to exceed \$3,000.00, chargeable to and payable from Code Account 1838 (183806) Miscellaneous Services, Recreation, Department of Parks and Recreation.

Also,

No. 2427 Resolution providing for an Agreement or Agreements with Fourteenth Ward Baseball Association for the furnishing of professional services for the benefit of the residents of the City of Pittsburgh at a cost not to exceed \$1,000.00, chargeable to and payable from Code Account 1838 (183806) Miscellaneous Services, Recreation, Department of Parks and Recreation.

Also,

No. 2428 Resolution providing for an Agreement or Agreements with Observatory Hill, Inc. for the furnishing of professional services for the benefit of the residents of the City of Pittsburgh at a cost not to exceed \$1,500.00, chargeable to and payable from Code Account 1838 (183806) Miscellaneous Services, Recreation, Department of Parks and Recreation.

Also,

No. 2429 Resolution providing for an Agreement or Agreements with Overbrook Community Council for the furnishing of professional services for the benefit of the residents of the City of Pittsburgh at a cost not to exceed \$700.00, chargeable to and payable from Code Account 1838 (183806) Miscellaneous Services, Recreation, Department of Parks and Recreation.

Also,

No. 2430 Resolution providing for an Agreement or Agreements with Perry Athletic Association for the furnishing of professional services for the benefit of the residents of the City of Pittsburgh at a cost not to exceed \$2,000.00, chargeable to and payable from Code Account 1838 (183806) Miscellaneous Services, Recreation, Department of Parks and Recreation.

Also,

No. 2431 Resolution providing for an Agreement or Agreements with Pittsburgh Dynamo Soccer for the furnishing of professional services for the benefit of the residents of the City of Pittsburgh at a cost not to exceed \$1,000.00, chargeable to and payable from Code Account 1838 (183806) Miscellaneous Services, Recreation, Department of Parks and Recreation.

Also,

No. 2432 Resolution providing for an Agreement or Agreements with Boys and Girls of Western Pennsylvania (for Pittsburgh Summer Basketball League) for the furnishing of professional services for the benefit of the residents of the City of Pittsburgh at a cost not to exceed \$1,500.00, chargeable to and payable from Code Account 1838 (183806) Miscellaneous Services, Recreation, Department of Parks and Recreation.

Also,

No. 2433 Resolution providing for an Agreement or Agreements with Saint Leo's Athletic Association for the furnishing of professional services for the benefit of the residents of the City of Pittsburgh at a cost not to exceed \$1,000.00, chargeable to and payable from Code Account 1838 (183806) Miscellaneous Services, Recreation, Department of Parks and Recreation.

Also,

No. 2434 Resolution providing for an Agreement or Agreements with Sharing and Caring Inc. for the furnishing of professional services for the benefit of the residents of the City of Pittsburgh at a cost not to exceed \$6,500.00, chargeable to and payable from Code Account 1838 (183806) Miscellaneous Services, Recreation, Department of Parks and Recreation.

Also,

No. 2435 Resolution providing for an Agreement or Agreements with Sheraden Slow pitch Softball for the furnishing of professional services for the benefit of the residents of the City of Pittsburgh at a cost not to exceed \$3,000.00, chargeable to and payable from Code Account 1838 (183806) Miscellaneous Services, Recreation, Department of Parks and Recreation.

Also,

No. 2436 Resolution providing for an Agreement or Agreements with Shooting Star Productions, Inc. for the furnishing of professional services for the benefit of the residents of the City of Pittsburgh at a cost not to exceed \$500.00, chargeable to and payable from Code Account 1838 (183806) Miscellaneous Services, Recreation, Department of Parks and Recreation.

Also,

No. 2437 Resolution providing for an Agreement or Agreements with Sounds of Heritage for the furnishing of professional services for the benefit of the residents of the City of Pittsburgh at a cost not to exceed \$5,000.00, chargeable to and payable from Code Account 1838 (183806) Miscellaneous Services, Recreation, Department of Parks and Recreation.

Also,

No. 2438 Resolution providing for an Agreement or Agreements with Spring View Athletic Association for the furnishing of professional services for the benefit of the residents of the City of Pittsburgh at a cost not to exceed \$3,500.00, chargeable to and payable from Code Account 1838 (183806) Miscellaneous Services, Recreation, Department of Parks and Recreation.

Also,

No. 2439 Resolution providing for an Agreement or Agreements with Three Rivers Aquatic for the furnishing of professional services for the benefit of the residents of the City of Pittsburgh at a cost not to exceed \$1,500.00, chargeable to and payable from Code Account 1838 (183806) Miscellaneous Services,

Recreation, Department of Parks and Recreation.

Also,

No. 2440 Resolution providing for an Agreement or Agreements with Uptown Little League for the furnishing of professional services for the benefit of the residents of the City of Pittsburgh at a cost not to exceed \$5,000.00, chargeable to and payable from Code Account 1838 (183806) Miscellaneous Services, Recreation, Department of Parks and Recreation.

Also,

No. 2441 Resolution providing for an Agreement or Agreements with Washington Heights Athletic Association for the furnishing of professional services for the benefit of the residents of the City of Pittsburgh at a cost not to exceed \$5,500.00, chargeable to and payable from Code Account 1838 (183806) Miscellaneous Services, Recreation, Department of Parks and Recreation.

Also,

No. 2442 Resolution providing for an Agreement or Agreements with Western Pennsylvania Conservancy for the furnishing of professional services for the benefit of the residents of the City of Pittsburgh at a cost not to exceed \$20,000.00, chargeable to and payable from Code Account 1838 (183806) Miscellaneous Services, Recreation, Department of Parks and Recreation.

Also,

No. 2443 Resolution providing for an Agreement or Agreements with Western Pennsylvania Police Athletic Association for the furnishing of professional services for the benefit of the residents of the City of Pittsburgh at a cost not to exceed \$1,000.00, chargeable to and

payable from Code Account 1838 (183806) Miscellaneous Services, Recreation, Department of Parks and Recreation.

Which were severally read and referred to the Committee on Parks and Recreation.

Mr. Onorato presented

No. 2444 Resolution amending Resolution No. 559, eff. June 5, 1990, entitled: "Resolution authorizing and directing the City Controller to create a special trust fund, to be designated as the Special Events Cost Recovery Trust Fund (SECRTF), for the deposit of monies from special events, and authorizing the use of monies deposited therein by the Department of Public Safety to cover premium pay for Police Personnel only" by clarifying the special events which may generate the funds.

Also,

No. 2445 Resolution amending Resolution No. 238, eff. March 23, 1992, entitled: "Resolution providing for the filing of an application with the U.S. Department of Justice for a grant in an amount not to exceed \$1.5 million in 'Operation Weed and Seed' funds for integrating law enforcement activities and social service programs in targeted high-crime neighborhoods; providing for the execution of grant contracts; creating a special trust fund in connection with the project; the deposit of the funds in a bank account and providing for the payment of expenses within categories," by providing for the transfer of certain funds from Operation Weed and Seed Trust Fund to the Special Events Cost Recovery Trust Fund.

Also,

No. 2446 Resolution providing for an Agreement or Agreements with NeighborFair Pittsburgh, Inc. for National Night Out for

services for the residents of the City of Pittsburgh during 1993 at a cost not to exceed \$2,500.00, chargeable to and payable from Code Account 1401, Department of Public Safety.

Also,

No. 2447 Resolution providing for an Agreement or Agreements with the Sickle Cell Society for professional services at a total cost not to exceed \$1,000.00, chargeable to and payable from Code Account 1401, Department of Public Safety.

Also,

No. 2448 Resolution providing for an Agreement or Agreements with Pittsburgh Mediation Center Inc. for professional services at a total cost not to exceed \$2,500.00, chargeable to and payable from Code Account 1401, Department of Public Safety.

Also,

No. 2449 Resolution providing for an Agreement or Agreements with the Merwin Boulden II Foundation for professional services at a total cost not to exceed \$500.00, chargeable to and payable from Code Account 1401, Department of Public Safety.

Also,

No. 2450 Resolution providing for an Agreement or Agreements with Pittsburgh Police Historical Society for professional services at a total cost not to exceed \$1,500.00, chargeable to and payable from Code Account 1401, Department of Public Safety.

Which were severally read and referred to the Committee on Public Safety.

The Chair presented

No. 2451 Resolution transferring the amount of \$2,000.00 from Code Account 1001-1 (100115), Misc. Services, Supplies, Equipment, Etc., Department of City Council to Code Account 1838 (183806), Misc. Services, Department of Parks and Recreation.

---(SPONSORED BY MR. WAGNER)

Which was read and referred to the Committee on Finance.

Also,

No. 2452 Resolution providing for an Agreement or Agreements with the Federation of War Veteran Societies, for professional services for the benefit of the residents of the City of Pittsburgh, at a cost not to exceed \$2,000.00, chargeable to and payable from Code Account 1838 (183806), Misc. Services, Department of Parks and Recreation. --- (SPONSORED BY MR. WAGNER)

Which was read and referred to the Committee on Parks and Recreation.

Mr. Cohen moved to suspend Rule 8 by providing for consideration of the bills only until or after the 8th calendar day following the meeting in which the bills were introduced so the bills will be on the agenda this Wednesday.

Mr. Darkins seconded the motion.

Which motion prevailed.

Also,

No. 2453 Communication from Ber Hayllar, Director, Department of Finance submitting a report of securities pledged as collateral by City Depositories as of February 26 1993.

Which was read, received and filed.

REPORTS OF COMMITTEES

Mr. Cohen presented

Bill No. 2454

Report of the Committee on Finance for April 7, 1993 transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 2148

A Resolution entitled, "Resolution declaring that it is desirable for the health, safety and welfare of the people of the City of Pittsburgh, Pennsylvania for the Quakertown General Authority to undertake a project involving improvements to the facilities of St. Francis Medical Center." (AS AMENDED IN COMMITTEE)

Which was read.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

- | | |
|-----------------|---------------|
| Mr. Cohen | Mr. O'Connor |
| Mr. Darkins | Mr. Onorato |
| Mr. Ferlo | Mr. Ricciardi |
| Michelle Madoff | Mr. Wagner |

(Pres't)

AYES 8 NOES none

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Also,

Bill No. 2160

A Resolution entitled, "Resolution providing for the issuance of a \$840.00 warrant in favor of Rabbi Alvin K. Berkun in settlement of claim for sidewalk damage."

Which was read.

Also,

Bill No. 2161

A Resolution entitled, "Resolution providing for the issuance of a \$1,624.69 warrant in favor of Kara-Lin Fanlayson in settlement of claim for automobile damage."

Which was read.

Also,

Bill No. 2174

A Resolution entitled, "Resolution providing for the issuance of a warrant in favor of Laerdal Medical Corporation, in the amount of Forty-Two Thousand Two Hundred Forty-Eight Dollars and Eighty Cents (\$42,248.80) in payment of Automatic Defibrillation Equipment for the Fire Bureau."

Which was read.

Also,

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. O'Connor
Mr. Darkins	Mr. Onorato
Mr. Ferlo	Mr. Ricciardi
Michelle Madoff	Mr. Wagner
	(Pres't)

AYES 8 NOES none

And there being two-thirds of the votes of Council being in the affirmative, the bills passed finally.

Also,

Bill No. 2175

A Resolution entitled, "Resolution amending Resolution No. 654, approved August 11, 1988 and effective August 15, 1988, as amended by Resolution 46, effective February 20, 1989, entitled 'Resolution authorizing the Mayor and the Chief Magistrate of the City of Pittsburgh to enter into a Merchant Agreement or Agreements with Equibank for implementation of a Visa/Mastercard Payment Program to be instituted at the City Tow Pound and providing for the Payment of applicable membership fees, discount fees, machine rental fees, and any other applicable fees and further providing for the guaranteed payment to the City of Pittsburgh by Equibank of all credit card transactions, subject to, and conditioned upon, the annual appropriations at a cost not to exceed Two

Thousand Five Hundred Dollars (\$2,500.00), chargeable to and payable from Code Account No. 1023, Miscellaneous Services, Magistrate Court, Index Code No. 102301', by providing for an administrative fee."

Which was read.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. O'Connor
Mr. Darkins	Mr. Onorato
Mr. Ferlo	Mr. Ricciardi
Michelle Madoff	Mr. Wagner
	(Pres't)

AYES 8 NOES none

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Also,

Bill No. 2180

A Resolution entitled, "Resolution providing for the issuance of a warrant in favor of the Stadium Authority in the amount of \$500,000.00 for Various Capital Improvements; and providing for the payment thereof."

Which was read.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. O'Connor
Mr. Darkins	Mr. Onorato
Mr. Ferlo	Mr. Ricciardi
Michelle Madoff	Mr. Wagner
	(Pres't)

AYES 8 NOES none

And there being two-thirds of the votes of Council being in the affirmative, the bill passed finally.

Also,

Bill No. 2195

A Resolution entitled, "Resolution transferring the amount of \$10,000.00 from Code Account 1002, Salaries and Wages, Regular and Temporary Employees, Index Code 100206 to Code Account 1006-9, Worker's Compensation, Index Code 100693, City Clerk's Office."
---(SPONSORED BY MR. WAGNER)

Which was read.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. O'Connor
Mr. Darkins	Mr. Onorato
Mr. Ferlo	Mr. Ricciardi
Michelle Madoff	Mr. Wagner
	(Pres't)

AYES 8 NOES none

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Also,

Bill No. 2218

A Resolution entitled, "Resolution providing for the issuance of a warrant in favor of Carl Marshalwitz, 725 North Beatty Street, Pittsburgh, PA 15206, in the amount of \$600.00 in payment for professional services rendered to Councilman Jim Ferlo for the month of April, 1993." --- (SPONSORED BY MR. FERLO)

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. O'Connor
Mr. Darkins	Mr. Onorato
Mr. Ferlo	Mr. Ricciardi
Michelle Madoff	Mr. Wagner
	(Pres't)

AYES 8

NOES none

And there being two-thirds of the votes of Council being in the affirmative, the bill passed finally.

Mr. Darkins presented

Bill No. 2455

Report of the Committee on Public Works for April 7, 1993 transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 2164

A Resolution entitled, "Resolution granting unto Richard A. Pagliari, 600 Amberson Avenue, Pittsburgh, PA 15232, his successors and assigns, the privilege and license to construct, maintain and use at his own cost and expense, a fence on a portion of Amberson Avenue and Ellsworth Avenue in the 7th Ward, 8th Council District of the City of Pittsburgh."

Which was read.

Also,

Bill No. 2165

A Resolution entitled, "Resolution granting unto Steve V. Slovak, Jr., 1016 Fritz Street, Pittsburgh, PA 15203, his successors and assigns, is hereby granted the privilege to construct, maintain and use at his own cost and expense, a portion of a house, wall and concrete patio in the right-of-way of Fritz Street in the 17th Ward, 3rd Council District of the City of Pittsburgh."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. O'Connor
Mr. Darkins	Mr. Onorato
Mr. Ferlo	Mr. Ricciardi
Michelle Madoff	Mr. Wagner (Pres't)

AYES 8

NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Also,

Bill No. 2166

A Resolution entitled, "Resolution providing for a Contract or Contracts, or the use of existing Contracts for the purchase of litter receptacles, and providing for the payment of the cost thereof."

Which was read.

Also,

Bill No. 2167

A Resolution entitled, "Resolution providing for a Contract or Contracts, or the use of existing Contracts for the purchase of litter receptacles,

and providing for the payment of the cost thereof."

Which was read.

Mr. Ferlo:

In relation to Bills 2166 and 2167, these two bills combined would allocate the \$90,000 that Council requested for the purchase of trash receptacles. I'm going to vote in favor of this legislation but I do think come budget time we need to talk about this whole issue of the trash receptacle once again.

I think colleagues remember that this has been sort of a multi-year discussion and interaction with the Administration on how many and where and what type of trash receptacle should be purchased, but in looking at the bid it still deals with solely purchasing or bidding out a stone aggregate receptacle. I had thought at one point we agreed to look at other options because the stone and the concrete aggregate receptacle deteriorates and also they're far more costly than some of the other receptacles. I thought during the budget debate a year ago we came to the conclusion that we would look at other options to try to find a trash receptacle that would be in the price range of \$300 or \$400 as opposed to \$600 or \$700 or \$800.

So, I'm going to vote in favor of it today but I would hope that we could have some more discussion come budget time on exactly what is the appropriate receptacle model to purchase. I'm just fearful that we're going to get a can once again that's going to deteriorate and also it's far too costly for business participation and that there are other types of receptacles that we could look at. Whether or not that was done, I'm not sure.

I looked over the bid specs and maybe come budget time we should once again have a discussion on this because, for one thing, most of

this money is only going to go to replace a lot of the receptacles that are now in disrepair. It's not going to actually purchase that many new receptacles and in any one of our business district we are badly in need of receptacles.

Mr. Cohen:

Michelle might speak to this too, but Michelle Madoff on Wednesday asked for a list of corporations that the Public Works Department has contacted to get the corporate sponsored trash receptacles. I have seen it. Have any of my colleagues received anything?

Mr. Ferlo:

If I may, Director Walluk in his memo to Council today, indicates that Maribeth Rizzuto is working on this and that she will forward a report to him and he will forward a report to Council updating us on what her progress has been on business contacts.

Mr. Cohen:

I very much look forward to seeing that.

It seems to me that we have more litter on our streets right now than I can remember in any recent history. The City is dirtier now and there's more litter than I've seen in a long time. So, obviously, I'm going to vote for this bill because it provides for money for trash receptacles. But we have got to get that corporate sponsorship program going because there's no doubt in my mind that corporations would contribute to have more trash receptacles in this.

As I said, Michelle brought this up last Wednesday and I think we need to have that list and to have an aggressive program.

Michelle Madoff:

Thank you, Councilman Cohen, but I brought that up not last week but over ten years ago, nine, eight, seven, six, five, four, three, two, one. I do it all the time. And I'm always amazed. "Oh, we're looking into it. Maribeth Rizzuto is working on it."

If there was a commitment by the Administration, an executive order by the Mayor to do this, it would have been done. It doesn't take a nuclear scientist to pick up the phone and call corporations or assign someone to do it and say, "Look, this is our City. We no longer can afford to pick up garbage in the back; we pick it up in the front." Animals get into the garbage, street people get into the garbage, haulers don't pick it up in time. This City is indeed filthy. I could use other words that are unladylike but everybody knows how dirty this City is. Downtown is the livingroom of our City and it's a junk house.

It seems to me that people of good faith can't start to do the job and I don't know that this is the venue of our Director. I think our Director is doing a good job. I have the same concerns that Mr. Ferlo has in that he did say that he believes the existing containers, if memory serves me well, are too heavy and that indeed they were going to get something lighter and not as expensive but not as tinny as what existed.

But may I remind everyone who may have been listening or paying attention or reading about Council in the papers that what we were saying in those days, ten or more years ago, was that refuse cans were needed back to back at major corners. It was not even the fast food restaurants that were creating the problem in front of their places. People step in, get the food, wait for a bus and then drop the litter on the street. Not necessarily because they want to but because there isn't even a container to put it in. Or you walk in Brookline. You can walk for blocks and

there isn't a container.

We need to have more containers. There has to be a commitment to helping this City be clean. As I've said before, in other cities if you have a pistachio nut on a bus, you're fined. In Pittsburgh you can sit on a pizza and nobody is fined.

I've always said, when a fish stinks, it stinks from the head. An old proverb. And if we don't get some leadership in doing this, nothing will happen. And I would agree that we need to no longer say, "Why don't you do it?"

You know, the old story is that Council is a legislative body and the Administration administers. But if they can't do it, maybe we can do some pricing, we can make some phone calls to the people who have an interest in getting some advertisements on an elegant can, if you can call a refuse can elegant, but in good taste. Put the name out saying, "McDonalds wants this City kept clean". Or "Roy Rogers wants this City Clean." "Eat and Park says keep this City clean." And have those cans paid for.

Next year you've heard our esteemed hit man, the Finance Chairman, talking about how we're going to have a tax increase with the next Administration. But this is the reason we have tax increases. Here is an area where the City could be cleaner, the cost of cleaning up could be less cumbersome or costly, and we'd have cans that would be paid for in greater portion by those who are involved in getting some free advertising. But no, let the taxpayers pay for it. It's only the taxpayers' money. What do we care?

I don't think that falls under the purview of the Director. I think he's doing the best job he can with administering the program, not making those decisions that need to be made by the Mayor.

I think that we need to stay with it, stay on it, and I'm not so sure that voting for this is the smart thing today. Maybe we ought to keep it a week and get a commitment instead of, you know, the old style - write a letter. "We'll look into it." "Oh, we started to look at it." Ten years later. That's not how government should function.

The Chair:

I believe that what we truly need in this City is just not more litter receptacles but the enforcement of the litter law throughout this City to stop the littering.

I'd like my comments brought forward on those bills.

(REMARKS ON FOLLOWING PAGES)

(BEGINNING MR. WAGNER'S COMMENTS ON BILLS NO. 2166 & 2167,
WEDNESDAY, APRIL 7, 1993)

Mr. Wagner:

Director, are the 150 coming in going to replace the deteriorated or damaged receptacles or are they going to be in addition to what's on the street?

Dir. Walluk:

What's going to happen is that they are going to replace some of them then the ones that are damaged we are bringing them in and we're going to cannibalize them to the best we can and take one or two and make one out of them and we'll have some new ones actually go out on the street and probably an increase of up to maybe one-half of the cans that are coming in will be new ones on the street as opposed to just replacements.

Mr. Wagner:

So in other words we will be replacing the damaged ones that are on the street now.

Dir. Walluk:

Yes.

Mr. Wagner:

There was a warranty in the purchase of those and I have noticed where several have deteriorated significantly at the base due to salt or whatever. What is the chance of the City recouping dollars from the original purchase and if I'm not mistaken, the warranty for those trash receptacles was ten or 20 years.

Dir. Walluk:

It was shorter than that. I don't know exactly what it was but I think it was like three years. Those cans were bought in '84.

Mr. Wagner:

That's not what we were told. Would you please investigate that and determine what -- if we're paying that much for concrete aggregate a receptacle, it should have a longer warranty than three years. And I would hope that this repair on them is moved up because there's really a number of receptacles in the city that have broken doors, hinges, handles and really

think with a minor amount of work we can put those receptacles in good working order.

Dir. Walluk:

It's \$10,000.00 of this money will be used for replacement parts.

Mr. Wagner:

When will that begin?

Dir. Walluk:

Immediately.

Mr. Wagner:

Thank you.

(END OF COMMENTS)

PREPARED BY: MARY ANNE HRUSKA
STENOTYPE REPORTER

The Chair:

Is there any further discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. Onorato
Mr. Darkins	Mr. Ricciardi
Mr. Ferio	Mr. Wagner
Mr. O'Connor	(Pres't)

AYES 7 NOES none

(MICHELLE MADOFF ABSTAINING)

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Also,

Bill No. 2168

A Resolution entitled, "Resolution providing for a Contract or Contracts, or the use of existing Contracts for the repaving of various areas throughout the City of Pittsburgh with reclipped blockstone or brick surfacing and other work incidental thereto and providing for the payment of the cost thereof."

Which was read.

Mr. Cohen:

I would like my comments on Bill 2168 about Murray Hill Avenue to be brought forward, please.

The Chair:

I would also like my remarks brought forward, please.

(REMARKS ON FOLLOWING PAGES)

(BEGINNING - MESSRS. COHEN AND WAGNER'S COMMENTS ON BILL NO. 2168, WEDNESDAY, APRIL 7, 1993)

The Chair:

Mr. Walluk, do you know if Murray Hill Road is on this because residents of that street have been promised for a long time and have been waiting a long time for it to be completed. Can you let me know that please?

Dir. Walluk:

Yes.

The Chair:

Thank you.

I had a meeting with the residents up there with Terry Matuszak and that was probably a year and one-half ago now and told them that they would be getting their street redone after Public Works told me that they would redo it and I think that some work has been done on it but it hasn't been completed so I think those residents really do deserve to have that done. It's not to take away from any other street that needs to be done but at least a commitment was made to that street.

Mr. Wagner:

Director, we're going back in history a little bit. I was the one that originally put monies in the budget for this purpose going back about six years ago based on the Allentown Civic Association's recommendation, not just for their neighborhood but obviously for city wide. This really is a great program and when you really talk about historical preservation in Pittsburgh, we need obviously to restore and to keep our streets and there's a lot of history related to brick and block streets in the City of Pittsburgh. However, this program can be extended. It really also is a good smart investment and I believe you believe that because these brick streets stay around for 80 years or 100 years where we all know that asphalt needs to be repaved every eight or ten years, so wherever we can keep these brick and block streets from deteriorating and keep from paving those brick and block streets, it is really a sound investment in Pittsburgh.

Dir. Walluk:

I agree. The \$250,000.00 doesn't buy us a lot so what we're trying to do is take that and push it as best we can and

try to get as much out of it as we can, so we're trying to invest it wisely as you suggest.

Mr. Wagner:

Thank you.

(END OF COMMENTS)

PREPARED BY: MARY ANNE HRUSKA
STENOTYPE REPORTER

The Chair:

Is there any further discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. O'Connor
Mr. Darkins	Mr. Onorato
Mr. Ferlo	Mr. Ricciardi
Michelle Madoff	Mr. Wagner
	(Pres't)

AYES 8 NOES none

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Mr. Ferlo presented

Bill No. 2456

Report of the Committee on Planning, Housing and Development for April 7, 1993 transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 2169

A Resolution entitled, "Resolution authorizing the Urban Redevelopment Authority of Pittsburgh to acquire property in the 10th Ward of the City of Pittsburgh under the Residential Land Reserve Fund, said property having been certified as blighted by the Vacant Property Review Committee and the Planning

Commission of the City of Pittsburgh."

Which was read.

Also,

Bill No. 2170

A Resolution entitled, "Resolution authorizing the Urban Redevelopment Authority of Pittsburgh to acquire that property in the 11th Ward of the City of Pittsburgh owned by Wayne E. Brooks and Karen H. Brooks, and designated as Block and Lot 83-A-48 in the Deed Registry Office of Allegheny County, under the Residential Land Reserve Fund, said property having been certified as blighted by the Vacant Property Review Committee and the Planning Commission of the City of Pittsburgh."

Which was read.

Also,

Bill No. 2171

A Resolution entitled, "Resolution approving execution of a Contract for Disposition by sale of Land by and between the Urban Redevelopment Authority of Pittsburgh and Guy C. Hopper for the sale of Block and Lot 83-A-48, in the 11th Ward of the City of Pittsburgh (RESIDENTIAL REHABILITATION)."

Which was read.

Also,

Bill No. 2172

A Resolution entitled, "Resolution authorizing the Urban Redevelopment Authority of Pittsburgh to acquire all of the City's right, title and interest, if any, in and to publicly-owned property in the City of Pittsburgh."

Which was read.

Also,

Bill No. 2173

A Resolution entitled, "Resolution approving execution of a Contract for Disposition of Land by and between the Urban Redevelopment Authority of Pittsburgh and Terrace Congregation of Jehovah's Witnesses for the sale of Parcels 127, 128B and 129 in the 5th Ward of the City of Pittsburgh in Redevelopment Area No. 32 (CONSTRUCTION OF A KINGDOM HALL)."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. O'Connor
Mr. Darkins	Mr. Onorato
Mr. Ferlo	Mr. Ricciardi
Michelle Madoff	Mr. Wagner
	(Pres't)

AYES 8

NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Mr. O'Connor presented

Bill No. 2457

Report of the Committee on General Services for April 7, 1993 transmitting two resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 2176

A Resolution entitled, "Resolution amending Resolution No. 116, effective February 23, 1993 entitled: 'Resolution providing for a Contract or the use of existing Contracts to purchase Cycle Helmets for the Bureau of Police and providing for the payment thereof.'"

Which was read.

Also,

Bill No. 2177

A Resolution entitled, "Resolution providing for the letting of a Contract or Contracts or use of existing Contracts for the furnishing and delivery of Saber 2 UHF Hi-Power Portable Radios for the Department of Public Safety, Bureau of Building Inspection and providing for the payment thereof."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably

to law, and were:

Ayes:

Mr. Cohen	Mr. O'Connor
Mr. Darkins	Mr. Onorato
Mr. Ferlo	Mr. Ricciardi
Michelle Madoff	Mr. Wagner
	(Pres't)

AYES 8 NOES none

And a majority of the votes of Council
being in the affirmative, the bills passed finally.

Mr. Onorato presented

Bill No. 2458

Report of the Committee on Public Safety for
April 7, 1993 transmitting one resolution to
Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 2181

A Resolution entitled, "Resolution authorizing a
study of the feasibility of establishing a
Community Police Housing Program in
designated neighborhoods of the City of
Pittsburgh."

---(SPONSORED BY MR. RICCIARDI)

Which was read.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass
finally?"

The ayes and noes were taken agreeably
to law, and were:

Ayes:

Mr. Cohen	Mr. O'Connor
Mr. Darkins	Mr. Onorato
Mr. Ferlo	Mr. Ricciardi
Michelle Madoff	Mr. Wagner
	(Pres't)

AYES 8 NOES none

And a majority of the votes of Council
being in the affirmative, the bill passed finally.

Mr. Ricciardi presented

Bill No. 2459

Report of the Committee on Engineering and
Construction for April 7, 1993 transmitting
sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 2182

A Resolution entitled, "Resolution authorizing
the Mayor and the Director of the Department of
Engineering and Construction to execute a Deed
of Easement granting to Joseph Lauterbach, the
right to enter upon property of the City at 1811
Brownsville Road, designated as Block 60L, Lot
252, in the 29th Wards to maintain, repair and
remove a wall located on property of the
Grantee."

Which was read.

Also,

Bill No. 2183

A Resolution entitled, "Resolution authorizing the Mayor and the Director of the Department of Engineering and Construction to accept an easement granting the City the right to enter upon the property of Joseph Lauterbach in the 29th Ward, designated as Block 60L, Lot 250 to erect a fence and attach the same to a wall on the property of the Grantee."

Which was read.

Also,

Bill No. 2185

A Resolution entitled, "Resolution further amending Resolution No. 1327, effective December 23, 1982, as amended by Resolution No. 820, effective September 30, 1983, as amended by Resolution No. 612, effective August 3, 1989, as amended by Resolution No. 637, effective July 5, 1990, as amended by Resolution No. 567, effective May 13, 1992, entitled, 'Providing for an Agreement or Agreements, or Supplemental Agreement or Agreements, with a Consultant or Consultants for Engineering Services in connection with the Rehabilitation of a portion of Ft. Pitt Blvd. - Eastbound and the Rehabilitation of the Market Street Overpass; providing for a Reimbursement Agreement or Agreements with the Commonwealth of Pennsylvania, Department of Transportation; and providing for the payment of the cost thereof;' by increasing the total project allocation by \$50,000.00, from \$976,000.00 to \$1,026,000.00."

Which was read.

The Chair:

I'd like my remarks on that bill brought

forward, please.

(REMARKS ON FOLLOWING PAGES)

(BEGINNING - MR. WAGNER'S COMMENTS ON BILL NO. 2185, WEDNESDAY, APRIL 7, 1993)

Mr. Wagner:

Discussion. Mr. Reginella, what portion of the Ft. Pitt Boulevard is this and does it include the design of the Wabash Tunnel touching down on Ft. Pitt Boulevard?

Mr. Reginella:

The portion of Ft. Pitt Boulevard eastbound that we are dealing with extends from Stanwix Street up to Smithfield Street. That is the entire stretch of the viaduct which is an elevated roadway as you know. Does it involve the busway? Absolutely yes. There are several issues involved here. The basic thing that we wish to do is to relocate Ft. Pitt Boulevard eastbound over I-376, the current westbound parkway down at the wharf level. We wish to construct a new Ft. Pitt Boulevard above that. The most important issues, there are two. One is the direct connection from the Ft. Duquesne Bridge with I-376 eastbound. Presently any traffic originating or coming through the Ft. Duquesne Bridge from I-279 needs to come up on a city street in order to access the Parkway East by way of Ft. Pitt Boulevard and then they get on the Parkway East by way of the Wood Street ramp. We wish to make a direct connection -- PennDOT will be doing that work to be sure -- a direct connection between the two systems.

Secondly and most importantly, the new river crossing, the Wabash Bridge, cannot make its touchdown at Market Street without lowering the parkway which of course is part of this entire scenario. The Parkway eastbound will will be lowered to the same level as the westbound leg of the parkway. Ultimately, the City wishes to reclaim the shoreline, the north shore of the Mon River for the purpose of constructing a park which will linked with Point State Park.

Mr. Wagner:

I appreciate that but I just hope that the priority, the top priority is this river crossing or the Wabash Bridge. This must be completed prior to the Ft. Pitt Bridge reconstruction.

Mr. Reginella:

That's correct.

Mr. Wagner:

Thank you.

(END OF COMMENTS)

PREPARED BY: MARY ANNE HRUSKA
STENOTYPE REPORTER

Also,

Bill No. 2186

A Resolution entitled, "Resolution providing for a License Agreement with Duquesne Light Company in install an underground electrical system on City-owned property fronting on Freeport Road, situated in the 12th Ward of the City of Pittsburgh, and granting to St. Margaret Memorial Hospital the privilege and license to install the conduit, vault, transformer pad, and post and chain barrier required as part of the underground electrical system."

Which was read.

Also,

Bill No. 2187

A Resolution entitled, "Resolution providing for a License Agreement with the Cameron Park Zoological and Botanical Society, Inc., a non-profit corporation, Waco, Texas, for the use and reproduction of certain artwork and copy developed by the City of Pittsburgh for use as exhibit signage at the Pittsburgh Zoo."

Which was read.

Also,

Bill No. 2188

A Resolution entitled, "Resolution authorizing the Mayor and the Director of the Department of Engineering and Construction to enter into a License Agreement with the Pennsylvania Department of Environmental Resources for right-of-way in connection with a pedestrian bridge being built by the City on the Fort Duquesne Bridge."

Which was read.

The Chair:

I'd like my remarks on that bill brought forward, please.

(REMARKS ON FOLLOWING PAGES)

(BEGINNING - MR. WAGNER'S COMMENTS ON BILL NO. 2188, WEDNESDAY, APRIL 7, 1993)

Mr. Wagner:

Mr. Reginella, will this be done by Opening Day a year from now?

Mr. Reginella:

It's a good question. It's always been the intent on our part as well as the Pirates and the Steelers to have this construction occur between the end of football season and the beginning of baseball season and unfortunately that puts us in a winter time frame and it is difficult to carry out the entire project during the months of November -- January, February and March. We feel that some of the work can be carried out particularly the approaches at the stadium side as well as at the Point State Park can be done during the fall and then come January we can begin work in earnest on the bridge structure proper.

Mr. Wagner:

Let me say that I stood over there with Governor Casey in 1991 and this was to be completed by Opening Day or some time during the season in 1992. I fully expect this to be completed by this time next year in total and there's no reason why it shouldn't be. This is not a complicated project and we're building a pedestrian walkway of which one third of it is completed and I would fully expect to be completed and I would hope that all of you would continue to update Council on the progress of the project.

Mr. Reginella:

Sure. As you know, there are federal dollars involved in this particular project and the approval process is just immense.

Mr. Wagner:

I want to know where the snags are and believe me this Council will get involved.

Mr. Reginella:

We fully appreciate that.

Mr. Wagner:

It should be completed by this time next year.

(END OF COMMENTS)

PREPARED BY: MARY ANNE HRUSKA
STENOTYPE REPORTER

Also,

Bill No. 2189

A Resolution entitled, "Resolution providing for an Easement Agreement or Agreements with The Diocese of Pittsburgh in connection with constructing and maintaining sewers and waterline on The Catholic Institute of Pittsburgh property in the 14th Ward of the City of Pittsburgh."

Which was read.

Also,

Bill No. 2190

A Resolution entitled, "Resolution authorizing the Mayor and the Director of the Department of Engineering and Construction to execute a Traffic Signal Maintenance Agreement with the Pennsylvania Department of Transportation for the City's operation and maintenance of a traffic signal to be installed at the intersection of Route 51 and Woodruff Street."

Which was read.

The Chair:

I'd like my remarks on that bill brought forward, please.

(REMARKS ON FOLLOWING PAGES)

(BEGINNING - MR. WAGNER'S COMMENTS ON BILL NO. 2190, WEDNESDAY, APRIL 7, 1993)

Mr. Wagner:

Mr. Reginella, this is the south end of the Wabash Tunnel.

Mr. Reginella:

That's correct.

Mr. Wagner:

What this is in regard to the anticipation of the reconstruction of the intersection?

Mr. Reginella:

I don't believe so. This is only to take care of the present needs at that particular intersection. It is in conjunction with the improvements that PennDOT is doing to be sure but as far as what the future needs will be at that intersection, I can't speculate on that because I don't know at this point.

Mr. Wagner:

There is a redesign of this intersection going on right now in anticipation of the shutdown of the Ft. Pitt Bridge and Tunnel to accommodate more traffic at this intersection. Does this pertain to that?

Mr. Reginella:

I don't believe so. I believe that this is merely taking care of the present geometrics of the intersection as it is today.

Mr. Wagner:

That work is supposed to begin this year at this intersection.

Mr. Reginella:

I don't know how the new construction will impact the intersection.

Mr. Wagner:

I would suggest that we make sure that whatever we're doing here that it's in conjunction with the redesign and reconstruction of the intersection.

Mr. Ricciardi, I'm sorry I haven't mentioned it to you but Director Sciulli indicated to me yesterday that that light will be operational by May 1st.

Mr. Ricciardi:

Thank you. I know it was in the Law Department and I was hoping it wasn't another suit that we would have to take against the Administration to turn that light on. Mr. Wagner, thank you for following up on that.

(END OF COMMENTS)

PREPARED BY: MARY ANNE HRUSKA
STENOTYPE REPORTER

Also,

Bill No. 2191

A Resolution entitled, "Resolution further amending Resolution No. 1348, effective January 1, 1993, entitled 'Adopting and Approving the 1993 Capital Budget and the 1993 Community Development Block Grant Program; and approving the 1993 through 1998 Capital Improvement Program,' by increasing EC 93-143, (Tree Planting Program) by \$25,000.00 from \$100,000.00 to \$125,000.00."

Which was read.

Also,

Bill No. 2192

A Resolution entitled, "Resolution amending Resolution No. 126, effective February 23, 1993 entitled 'Providing for a Contract or Contracts, or use of existing Contracts, for Street Tree Planting at Various Locations; and providing for the payment of the cost thereof,' by increasing the total project allocation by \$25,000.00 from \$100,000.00 to \$125,000.00."

Which was read.

Also,

Bill No. 2193

A Resolution entitled, "Resolution providing for a Reimbursement Agreement or Agreements with the Pennsylvania Department of Environmental Resources, Bureau of Forestry, for their share of costs of the purchase and installation of street trees to be planted in designated areas; and providing for the deposit of said reimbursement."

Which was read.

Also,

Bill No. 2194

A Resolution entitled, "Resolution adopting Official Sewage Facilities Plan for the Campbell Heights Plan of Lots."

Which was read.

Also,

Bill No. 2179

A Resolution entitled, "Resolution providing for a Contract for the Construction of the Courts Facility Foundation, Package 1 of Phase I, of the New Public Safety Complex; and providing for the payment of the costs thereof."

Which was read.

Mr. Darkins:

Mr. Chairman, on Bill 2179, I would like to suggest that we recommit this bill.

Mr. Ferlo seconded the motion.

The Chair:

May I ask why?

Mr. Darkins:

Yes. It's to see and to understand what has really just happened here today. Here we have in City Council all these people that we were honoring in regards to talking about discrimination and racial barriers and what have you. This bill here itself, at no God given time have they explained to us the rationale or what is really happening in regards to the minority contractors, or minorities, period.

And what is going on over there at that County Jail, and I understand, I don't want this to happen at the Public Safety Building. And I think that they should come to the table and give us some rationale on what is really going to transpire down there.

I recognize and I honor the Mayor's executive order, and there is something in the Mayor's executive order that has not allowed the African American community and minority contractors to function as they're really supposed to. And I think that we should get a definite definition because this is City money and it's out of my context.

I can't do a think about that County Jail but I hope that my colleagues here on Council will understand what is happening within the City of Pittsburgh here. This is our tax dollar money and I think that we should have some answers before they start.

Mr. Ferlo:

I do support the recommittal. I wasn't feeling well yesterday so I did miss a post agenda meeting. I don't know how many other Councilmembers were able to attend but I think there needs to be full discussion.

I do support Councilman Darkins' concern. I do think, given the fact that this is certainly a major capital project to the tune of \$30 million or \$40 million over the next four or five years, that we need to have a clear understanding of what the MBE/WBE participation is.

I also think we should really review whether or not it's the best policy to actually build the building as it was originally conceived of by previous Administration's Public Safety. There does seem to be a lot of logic in terms of the construction of the court system in terms of the

trade-off with the County on detention officers and things of this sort. But I do question whether or not, since we've already made a several million dollar investment at 200 Ross and also at the old Public Safety Building on Grant Street, whether or not there's a lot of logic still in terms of building this major so-called Public Safety Complex.

But I think we really should look at that whole issue and not rush to judgment on this construction. So, I'm very much in support of recommitting the appropriation.

Michelle Madoff:

The reason I supported recommitment of the bill is that certainly, and we talked about Holocaust here today, we ought to be talking about those that are discriminated, and we need a specific update on what action is going to take place and how many Afro Americans will actually be involved, as promised and as committed, in our legislation that has been passed by Council to make sure that indeed it isn't just hollow words.

In addition to that, I do think that we need an update on the logic of building -- Do the needs still prevail today that prevailed at the time that we decided to build this, or the Administration decided to build it. I think we need to be told that. We need to be told what space is needed and how the space is being used presently.

If memory serves me well, yourself, Mr. Wagner, and myself, objected to the Safety Building not being taken down and a new building put on that site. It was sort of nonsense to move over and rent space for a very long period of time when we should be doing, at that point we should have been building something new right on that site.

Here we are back in business at the original Safety Building. We have some property

that we're using up on Ross Street. What is going on at those locations? What is needed in addition?

And then we get to an issue that is really, to me, paramount, and that is, in addition to all the other things, and of course I don't demean them, and that is that last summer Councilman Darkins and I attended a meeting in Orlando where they had very much the same kind of situation. They had a large site Downtown and they built a City Hall. On the adjoining property, they leased the property out to private developers with the rents coming to the general fund. And the concept being, if anybody is listening to this, you can keep raising taxes ad infinitum, forever and ever, or you can be creative and have public-private partnership where the monies for the rentals come back to the general fund. And you don't have to keep raising taxes forever. It's an alternative source of monies to run a community.

Perhaps now is the time to look at that. That doesn't mean we would not go ahead with the development; it just means that perhaps we could use the space differently and revenues could come to the City that would indeed help to offset what has been projected as a significant increase in taxes just to maintain the City.

I think for all the reasons stated today, we need to have a meeting that is well attended. I knew nothing of the meeting yesterday or I would have been there. I didn't even get the notice.

Again, I think we ought to hold it and not say that we're going to drown it. We're not going to throw the baby out with the bath water but to look at it. That's what we're elected for. What issues can we address that will be in the best interest of the public? All the issues raised today.

Mr. Ricciardi:

I support the recommittal motion by

Councilman Darkins. Mr. Darkins has been very helpful in projects in my district, the latest project being the clean fill and Loretto Cemetery. Councilman Darkins was very instrumental as the Chairperson of Public Works.

It is my understanding, it is true, that once an award is given to a contractor, that once he or she receives the go ahead, that they have to have presented to the Administration a minority participation plan. Mr. Fred Reginella did state at the post agenda that I held yesterday that the contractor did receive the go ahead which means that the plan is concrete. And we have not received a minority participation plan and I think I would support that motion by Councilman Darkins.

Let me say also for the record, and it was presented to the public by the media, that I did question the site when it was first presented some time ago, if that was really the best use of the site. However, we did proceed.

In this case, I am also questioning the cost of the project, the courts building and the Public Safety Building being in excess of \$35 million bond money, and really the savings of \$1 million. We did receive some information and I thank Mr. Reginella for that information. But in his own letter I think he states that the savings that they projected, \$1 million, cannot be really delineated at this time because the Director was not available.

So, I would support the motion to recommit for a minority participation plan and for further discussions of, number one, the savings, and number two, really the options and the option that we have to stay with the Public Safety Building as is and not construct the new buildings.

Mr. Cohen:

Briefly, I know this is a very important project and Councilman Ricciardi held an important post agenda meeting yesterday which I thought was very informative. But I support Reverend Darkins' motion for a recommittal. I think that every Councilmember should have the opportunity to inquire about any issue with respect to this project, and certainly a very important issue like our hiring practices in the minority community. So, I support the recommittal.

The Chair:

I'll support it also, but that was the purpose for yesterday's post agenda, clearly to find out as much information about this project pertaining to anything about the project. I will support recommittal also particularly based on Councilman Darkins' concern.

If it's the interest of Council to re-open this issue as to whether or not we should be proceeding on the issue, I want everyone to know clearly that that's not my position. I believe that we should move forward on this project. We should move forward on this project aggressively with the appropriate minority participation. This project is a cost savings for the City in terms of our Administration and operational cost of City government to the tune of \$1 million per year.

I believe it is the right site. That decision has been made. We could backtrack two years. I don't think we're at a point now where we can backtrack. If we're going to move forward and save administratively by having the County join in the function of the Courts, we have to have a building built in order to do that.

In addition, if we ever want to market the old Public Safety Building site, we have to have another location for our people to work in.

I believe that this Council jointly made a decision going back months, if not a year or two years, to move forward on this site.

So, I would hope that whatever outstanding issues are there in regard to minority participation, they could be answered within the week. But I hope we're not opening up the whole issue again because I don't believe that's in the best interest of this City.

Michelle Madoff:

I don't think that there is a consensus here that we want to stop the project. I don't think that's the issue at all. I think there are unanswered questions that should be answered before final vote, and I think you agree with that. And it should be done expeditiously because, obviously, with the crime that exists in our community and all over the country, everybody is faced with the same problem. Let's get on with anything that will solve the problem but one week isn't going to make that much difference and I raise my hand to say how about a post agenda tomorrow right after session.

The Chair:

We had a post agenda yesterday, Councilwoman Madoff.

Michelle Madoff:

But I didn't even get the notice on it, which is not unusual. Things get taken out of my box.

The Chair:

Everyone had the notice. I know I did and everyone else did.

Mr. Onorato:

Let me just go on record saying that I'll support the recommittal but I have to agree with President Wagner here that, as far as I'm concerned, I wasted two hours of my time yesterday at the post agenda. If I can recall properly, last Wednesday when we discussed this bill, the discussion went where we should give it preliminary approval, have a post agenda to answer any questions. If the questions weren't answered, then we would have the option to recommit.

I don't know why the notice wasn't given to Michelle. I had a notice on my desk but I would hope that in the future, if there's going to be bigger questions that can't be answered at the post that we would know because I had a lot of things to do yesterday too. And as far as I'm concerned, I'll support the recommittal but I wasted two hours of my time sitting here yesterday because we're going to go through the same process tomorrow and I think maybe we should think about how we schedule post agendas and what the purposes are for so that it doesn't happen again in the future. I know everyone here has a busy schedule and we have a lot to do in our districts and a lot of projects to work on.

Michelle Madoff:

I suggest again that we do it tomorrow right after session and I think you're right. I think we learned something from this experience.

When you say that you don't know why I didn't get it, as Mr. Perry will tell you, how many times don't I get things, Mr. Perry, or my mail tampered with or things happening. Over the years it's been wild. So, I have no control over somebody taking something out of my mailbox.

I didn't get it and I would like to have it scheduled for tomorrow right after session. Let's

do it.

Mr. O'Connor:

Again, I support you. This project is too far gone. It was very informative yesterday and it ties in with the County, with the Jail and what's going on right now. So I doubt if we could back out of it.

But I also support Mr. Darkins' interest and intention there and I think we should be look at that.

My question is, can we answer these questions at the table tomorrow?

Mr. Darkins:

Mr. O'Connor, I think we can answer these questions at the table. It's just simple A-B-C. There are some T's that are not crossed. There are some I's that are not dotted. And there are some commas that are not in place.

Mr. O'Connor:

So we really don't need another post agenda?

Mr. Darkins:

No, we don't need a post agenda.

Michelle Madoff:

I have no problem with that, Mr. President, as long as we take the time tomorrow to do it. No problem.

The Chair:

Okay, so there's a motion on the floor to recommit.

All in favor? Opposed?

WHICH MOTION PREVAILED.

Michelle Madoff:

There's no intention of holding the bill; it's a matter of making sure we have adequate information before final vote.

MOTIONS AND RESOLUTIONS

The Chair presents

No. 2465 Resolution appointing Dennis Roth, 1720 Beechwood Boulevard, Pittsburgh, Pennsylvania 15217, as a member of the Board of Standards and Appeals for a term to expire January of 1996.

Which was read.

The Chair:

Is it the will of Council to bring that individual in front of Council at a Standing Committee Meeting?

Mr. Ferlo:

So moved.

Mr. Darkins seconded the motion.

WHICH MOTION PREVAILED.

Mr. Ferlo:

Two things. First of all, I don't know if we made a motion or it was originally part of the motion on the public hearing on the billboards to have it be televised.

It is cablecast? Okay.

Mr. Chairman and Members of Council, I'd like to ask consideration for the following resolution. It was actually typed up in a proclamation format but I thought it would be more appropriate for discussion purposes to deal with it now.

I believe many Councilmembers have been individually lobbied or communicated to by Duquesne Light and/or unions and/or others in relation to this issue of the Duquesne Light and GPU Transmission Line which is being proposed now under review by the Public Utility Commission. As many of you know, this is a transmission line, I think it's over 250 miles of line that would be laid from Pittsburgh out east and the southeast counties out to the Harrisburg area. It's obvious a multi-million dollar, multi-year project. There are obviously lots of economic benefits in terms of immediate construction jobs, certainly in terms of increased tax revenues to local municipalities, and to the Commonwealth it would reopen some idle utility facilities in the Pittsburgh area. It would certainly make new some opportunities within the coal region because the two facilities that would open would utilize coal in the southwestern counties of the Commonwealth. And for a lot of other reasons there's obviously intended benefit.

My concern is that we have a situation of Duquesne Light Company that, quite frankly, has a long tenure of not being responsive to the legitimate concerns of its ratepayers. We suffer in this area from some of the highest electric utility rates. In fact, I think we're ranked sixth in the nation for high utility rates. And while most notably those high rates are devastating to individual resident homeowners, especially those elderly and those on fixed income, I would argue very strenuously that those high electric rates as opposed to the rates of West Penn Power, our neighboring utility, have actually resulted in job loss and curtailment of commerce and

business because of very high electric rates.

Many of us, and I've been in front of the PUC and I have filed in probably six different rate cases against Duquesne Light's rate requests before the PUC over the last decade. Some we won and most of them we lost. But we won many instances where the rate request was not justified by the Light Company.

This company, during the period in the 70's when it was quite obvious to most people, certainly those losing their jobs in the steel mill, that the request and the demand for electric power was on the decline, this company embarked on a grandiose strategy of building upwards, they wanted to build upwards of seven nuclear power plants. In fact, this company's expansion policies resulted in very high utility rates by Pittsburgh area ratepayers for more than a decade.

I'm very concerned that in general support of the GPU/DQE Transmission Project that we express support but that we attach some provisions indicating our concern as a municipal legislative body that's mostly affected by Duquesne Light Company. And while I have a resolution here which all of you have a copy of, I would like to make a motion that we consider accepting this with these specific provisions, and they are as follows:

Be it resolved that the Council of the City of Pittsburgh officially supports the GPU/DQE Transmission Project provided Duquesne Light fulfills the following commitments to the residents of the City of Pittsburgh:

- 1) That Duquesne Light will provide rate relief to its ratepayers who have suffered from outrageously high rates in the past following the completion of the GPU/DQE Transmission Project.
- 2) That Duquesne Light will not submit any

rate filing request with the Public Utility Commission to finance capital expansion or construction cost for the Transmission Project but rather will finance such cost to private or stockholder investments, not through its ratepayers.

3) That Duquesne Light will maintain its corporate headquarters. I have here Downtown Pittsburgh but my main concern here is that as a major corporate Keystone Company in the City that Duquesne Light continue to be housed here in the municipality. There was some concern with Mr. Van Shock. I don't know if he's still Chairman but he's very active in the RIDC about whether or not there would be some flight out of the City by Duquesne Light Company. I don't think that's in the best interest of the City and I think Council should express its advocacy concern on this issue.

4) That Duquesne Light will ensure that Brunot Island Power Plant and any other idle power plants that are re-opened will fully comply with all the provisions and amendments of the Clean Air Act of 1990. These are similar issues that have come up with the cement kiln and other things that Council has expressed itself on.

5) That Duquesne Light will establish a conservation fund program for low and moderate income ratepayers. Disproportionately, that fund would certainly help individual residents here in the City of Pittsburgh.

6) That Duquesne Light will help contribute to the cost of an independent study to determine the health effects, if any, of electro-magnetic fields.

I would hope that as part of this resolution that Duquesne Light will formally make a commitment to contribute to this study that would be done independently regarding the long term health effects, if any, to the environment, to the

ecology, to human and animal life, as a result of electro-magnetic field.

Accordingly, I would ask consideration for this resolution.

The Chair:

Is that in the form of a motion?

Mr. Ferlo:

So moved.

Mr. Ricciardi seconded the motion.

Mcihelle Madoff:

Discussion. I think that the resolution is well-intended and I'm sort of amazed that support is coming from Mr. Ferlo who does have a long history of protecting the public and representing the public on rates and so on. And as he pointed out, and it has been pointed out to me, that when a company moves out of Pittsburgh, and I know that's something you've been concerned about, Mr. Wagner, and they move to where they can get another utilities power at a 20 percent lower rate, they've made 20 percent profit just right off the top. So it becomes very important that we're competitive.

I've had long standing communications with Duquesne Light. I did not realize this was coming up today so I'll share this quickly off the top of my head.

There has been not only discussion but I've seen articles in the news media where there will be absolutely a cost-effect saving to our ratepayers. And I think there's nothing wrong with asking that to be confirmed, but that is my understanding.

Secondly, when the Brunot Island plants

and the two plants that were idled that were moth-balled and not taken apart were being put back into operation, Duquesne Light came to see all of us. As a matter of fact, I took them around to my colleagues to meet them because they were going to open a plant and had made a commitment because I was checking with my environmental groups to make sure that it would comply with all standards, and indeed it is.

With reference to the issue of Duquesne Light helping to contribute to the cost of an independent study, my understanding is that there is one underway right now, I believe in the State of New York where everybody is contributing to determine if, indeed, the definitive study shows electro-magnetic fields having any damage to human health.

With that in mind, I attended over a year ago a meeting of the Engineers' Society in this area and those involved in environmental issues where they reviewed all the data. All the data was put out on anything available on electro-magnetic field. And the end result of that and why I'm supporting this line being built was that the problem was not in the line itself but in the lines coming into homes where you see an increase of cancer among children. It was coming from lines, the power lines into the house, sort of on the same principle of electric blankets or appliances that may have an effect on leukemia in children.

As an environmentalist and one who have been in the forefront of this movement, I wanted to educate myself to make sure that this was indeed something that I could support. And from the information available today, all the data, all the printouts, all the composites being put together, that was my conclusion.

The only thing I have against making this a resolution, as opposed to a request for a response from Duquesne Light, which I think

would be more appropriate because I think much of this could be answered and I think that might be sort of a cooperative effort. "This is what we expect. Would you please look at this and would you respond to us?", as opposed to "We're passing a resolution and you must do this." I don't think it accomplishes what we want to do.

I have already stated my support of many of the issues that Mr. Ferlo has raised but I think it's not the right approach so we're passing a resolution. I think we ought to do it exactly the same but send it over to Duquesne Light and say, "Would you kindly respond to this? It is very important to us, so that we can support your line."

Mr. O'Connor:

I agree with what Michelle said and I also agree with some of the things Mr. Ferlo has in the resolution, but I would rather see it as a cooperative effort working with them face to face.

I agree the outrageous prices and the mistakes they've made in building some of these power plants, but it's new management and I don't think we should kind of be hostile. I kind of get a hostile feeling there.

Mr. Ferlo, I would be glad to go with him and ask them how they intend to finance these projects. Maybe they are going to do what you request, or maybe not.

Fund programs, I thought they had it. I always contribute a dollar. I thought they had these. Maybe they can make them better.

And I do agree with Mr. Ferlo that it should be explained how they are going to cut our rates. They intend to with this profit they will make and I'd like to see something in writing how they intend to pass it along to the customers. But I just don't know that this seems like a cooperative

joint effort in this manner.

Mr. Ferlo:

First of all, we pass proclamations and resolutions every week on every issue under the sun. Certainly an issue regarding what's happening with Duquesne Light, not only a major employer, a major corporation, but every one of us in this room and everyone that represents, while they may be represented by a variety of local gas companies, they all have Duquesne Light Power as their electric company.

This is a major construction project. We've been opinionated in the past on various rate hikes. In fact, the City through the Solicitor has filed an opposition to several rate requests over the last decade.

We have opinions on everything in the world in these Council Chambers and I think likewise we should have an opinion on a major proposal for this transmission line.

There is no guarantee, and I think we should get a guarantee. I am not in support of this project unless there is some guarantee that we will seek rate relief as a result of its construction. We're talking by Duquesne Light Company zone statistic, if they're accurate. We're talking about \$1.1 billion in profit as a result of a 20 year contract signed with GPU and other utilities in New Jersey and elsewhere.

That relief should come back in the form of consideration for lower rates that we have suffered from. It's hurt not only individual residents who have a hard time paying their light bills, but more importantly, and if you look at the rate structure of West Penn Power, I think you'll find that a number of companies have moved out of Duquesne Light's region because of the electric bill.

It has hurt us and as an advocacy legislative body I think we should be concerned about the people that we represent as it relates to electric rates.

The resolution is not adversary. It's only stating that quid pro quo, that we're supporting a measure but there's got to be something back in the public interest. And I do think it's appropriate that we consider these six provisions.

I'm not interested in sending them a letter; I'm interested in seeing Council speak with one voice. Obviously I would hope that it would enlist, if we pass it, I would hope that it would enlist a response from the Utility Company. But I would hope that we would send this resolution to the PUC and others where we have been advocates on all kinds of issues.

The Chair:

If I may comment. We have no mandated authority over Duquesne Light Company or the PUC as a local legislative body. Obviously the PUC does in terms of granting the construction of this transmission line for Duquesne Light Company.

I personally, as a Councilmember, have already taken a position on this issue, and I have sent a letter to the PUC indicating my support for this project. I sent that three months ago. And I am in favor of the Transmission Line Project and I have stated in the letter my reasons for it. And basically my reasons for it are that this will stabilize rates within Duquesne Light Company in the future because it will bring in more revenue. It will create at least 1,500 if not 2,000 quality jobs in the region that pay \$15 to \$20 an hour. It has many, many advantages, I believe, for the region.

There has been public controversy on the issue in the northern sectors of the region due to

the potential negative impact of the transmission line. That has basically been the only controversy that I am aware of as it relates to this project.

I am in support of this project, and I want to make that perfectly clear. And I do not want to try to put mandates on a company however that company has indicated the reasons for wanting this transmission line. And first and foremost is to keep rates down in the future.

I don't believe this Council has any authority. I agree with my colleagues that we should be in a communication stage with the company rather than trying to mandate how that company functions. As far as I'm concerned, they're not moving out of the City of Pittsburgh. And I would do everything in my power to make sure that that does not happen in the future. There has never been any indication that it will happen. They have always been based in the City of Pittsburgh. And I think this resolution raises some red flags that don't need to be raised on this project.

I think, Mr. Ferlo, you're well-intended in some of your efforts, and I know you've been a proponent of keeping rates down, and I commend you for it. But I really think that's the purpose of this project, one of the main purposes.

Mr. Ferlo:

In response, first of all, when the PUC gives consideration to this project as it does any requested rate hike or any other capital project by a utility company, one of the many things that the State Legislature provides the PUC the ability to review is this broad phrase of what is in the public good.

I'm only stating here very clearly that there is no guarantee. I am not in favor of this transmission line unless there is a quid pro quo

back to the ratepayers of Duquesne Light. We have suffered for more than a decade from outrageously high electric rates. That's a matter of fact.

We pay some outrageous amounts that are not fair to residents in other parts of the region, other parts of the country, that are paying much lower rates. We paid for mismanagement. We paid for bad decisions and considerations by Duquesne Light management over the last decade.

My only point is, if there is \$1.1 billion to be generated, let's get some quid pro quo. Let's get a commitment from this Light Company in response to us supporting this notion before the PUC that indeed we will see some rate relief because it badly is needed, not only in terms of individual residents who are bearing undue burden of high rates over the last decade, but more importantly for small business activity in particular who have been really hurt by very high electric rates.

I think it's very reasonable that as part of the show of support by a municipal body, that we ferret out what the issues are, that we are acting in the public good, but we want some commitment. I don't know about Duquesne Light in terms of that. I would hope that being who they are they would see the need to stay within the City boundaries and be a major employer here in the City of Pittsburgh. I don't think it's wrong for Council as a legislative body to urge, as we have done many other corporations, to maintain their roots here in the City of Pittsburgh. I hope this is not a red flag.

But it is clear, as you know, Mr. Wagner, that Duquesne Light is moving out of Oxford I believe in the next couple of years, and I assume they are looking for other alternatives for their corporate offices. I don't know if they're only looking in the City of Pittsburgh. I think it's

reasonable for City Council in the City of Pittsburgh to strongly urge the company to maintain its headquarters here in the City.

The other resolutions, I think, are matters of philosophy. I think if there is tremendous profit to be gained from this, as Duquesne Light suggests there is, I think it's reasonable that the people who make that investment should be the people who are the financial investors and the stockholders of the company. That burden shouldn't solely fall on the ratepayers, be they municipal ratepayers, industrial, small businesses or private residences. There are a lot of people that are going to be making a return on their investment which far exceeds money that they would put in the bank in a CD.

The point is, this is financed capital. There are people that are investing. They're going to get a return. And I think we should be assured that we are going to have some reasonable rate relief because there are no guarantees. And I think we should get some guarantees before we support this.

I don't view the proclamation as adversary; I view the proclamation as defining what are the legitimate concerns for the public good here in the City of Pittsburgh before we just blankly say, "Yeah, this is a great project, let's be for it." I don't think we should do that.

Mr. Cohen:

I support the project too and I support it because of the jobs and economic development that it will bring to our region. And my understanding that not only would Duquesne Light not raise rates to pay for it, at least my understanding was that it potentially would result in lower rates.

That having been said, I don't know, frankly, whether this resolution is inconsistent

with that position. It was just brought up today. I think there are some things in here that make sense, particularly like the independent study to determine the health affects. But frankly, I just don't know enough about a couple of points in here like the Brunot Island and the Conservation Fund Program. I just don't.

So, I'm going to abstain on this if we take a vote, but I do want to say that I do support the GPU/DQE Project because I think it makes economic sense.

Michelle Madoff:

May I make a suggestion that I think should be a role that this Council should play in protecting the public? I think the issues that are raised are valid, and personally, even in the Mayor's debate the issue has come up.

There is nothing wrong, as a matter of fact it is appropriate, for Duquesne Light or any other company within the boundaries of an area in which our citizens pay rates, to answer some questions. And I think that it would be appropriate to invite them here and say, "There are some concerns and would you please address this, this, this and this. Will we save some money?"

For example, in the articles that I read, they said that there would be absolutely a rate saving. However, I recall having seen a paid spot by Duquesne Light of a small business corporation representative saying, "If we build this line, it will hold the line on rates." Well, there's a difference between holding the line on rates and saving money and lowering the rates.

I don't think there's anything wrong with either sending a letter as a preliminary or having an invitation going to the representative. Come and sit down with us. Tell us about their review of the health factors, the rate discounts, what they're

proposing to do on studies, all the issues that are raised here, to have some interactive dialogue. Not, "Hey, what are you going to do about these kinds of things?" I don't think that accomplishes anything but I think the purpose of getting this information should not be dropped. We need to get the answers. Why don't we meet with Duquesne Light?

The Chair:

Councilman Ferlo, do you want to schedule a meeting prior to the resolution?

Mr. Ferlo:

No. First of all, I thought this proclamation was out last week and circulated. Apparently it wasn't.

I would suggest that I withdraw my motion to approve and we consider it next week.

I don't need to meet anymore with any of the proponents of the project. But what I'm framing here is what I feel is the proper response of a municipal body dealing with Duquesne Light and I would like the resolution considered, good, bad or indifferent, up or down. Period.

Michelle Madoff:

I think the issues are so important that I think we ought to invite the representatives of Duquesne Light and have some dialogue.

First of all, there's a transcript of our meeting and it becomes a public record as to commitments that would be made, and I think that is the way we ought to proceed. In an official capacity, asking the questions and getting the answers. I think the answers will be ones we can live with and I don't think there's any problem in proceeding before we get to the resolution.

The Chair:

I have met with the Public Relations person for Duquesne Light lobbying for this project. Again, I don't want to send any mixed signals from my position on this issue.

Mr. Ferlo:

I'm getting the feeling that City Council all of a sudden got controlled by Duquesne Light.

The Chair:

No. Let me state my position. We have one power plant in the City of Pittsburgh. It is down. It is idle. The Brunot Island Plant.

This project represents firing up a power plant in this City and creating hundreds of jobs just within that plant alone.

The project in total represents thousands of construction jobs. The project after completion represents 2,000 permanent jobs for the region.

I am for this project. It's as simple and clear as that. And it's up to the PUC to approve the project. The PUC has really dragged their feet for two years on this project for reasons unknown. I don't want to say that we have to go out and have a new electro-magnetic test done when, in fact, there are power lines running all over this country today. And if studies have been completed that prove that these power lines have a negative impact, I want to see them. And they haven't been provided to me.

I am in support of this project. I believe this City across the board should be in support of this project.

Mr. Ricciardi:

I am also in full support of the project. As a matter of fact, I have showed my prior support by signing a resolution and also sending a letter, as Mr. Wagner has, to the PUC.

However, after reviewing this resolution before us, I also support the resolution because in the presentation that was given to me prior to my support was that the transmission lines besides economic development, jobs and what not, would also mean a rate relief to the ratepayers, especially in the City of Pittsburgh. And really, the crux of this resolution is exactly that, that it would provide rate relief to the ratepayers and also No. 4 that the Brunot Island Plant, when it does re-open, would comply with the 1990 Clean Air Act. So, I'm very comfortable with the resolution.

Let me say, again, that I support the project. I also have shown my prior support of it, but I have no problem with the resolution before us because many of the points, especially point 1, lower rates, was presented to me prior to my support of the project.

So I would support it today. But if Mr. Ferlo decides to withdraw his motion, I will withdraw my second. It's entirely up to the sponsor of the resolution.

Mr. Ferlo:

Just to clarify. In response to Mr. Cohen who felt that he had just received a copy of the resolution. I thought it was out last week, that Councilmembers would be thinking about it. I have no problem waiting another week if Councilmembers want more time to look at each one of the points and/or talk with Duquesne Light Company or anybody else you want to talk to in terms of additional information. I'm certainly available to supply any information.

I'm totally opposed to a blanket resolution which had been suggested by the company that many of you received in the mail that just gives blanket approval to the transmission line without some commitment on the part of the concerns that I've raised in the resolution.

I'm not interested in rushing on this. There are Councilmembers who would like to still debate the point and also review each point and see whether or not its relevant or something they could support. I'd be happy to wait a week.

The Chair:

Would you like to have a meeting with a spokesperson from Duquesne Light here?

Michelle Madoff:

Absolutely. And could we do it as soon as possible?

The Chair:

Sure. We'll do that.

Mr. Ferlo:

I'll withdraw my resolution. I'll introduce it again next week but, in the interim, any further discussions Councilmembers are welcome to make.

The Chair:

Mr. Perry, could we please set up a meeting that's convenient to Council with representatives of Duquesne Light?

Michelle Madoff:

With all due respect to my colleague, Mr.

Ferlo, who I admire and respect, I have not become, nor have I ever been, a spokesperson for Duquesne Light. I did my homework when I was concerned about the electro-magnetic field and I'm convinced that it is safe unless I see other evidence.

The rate questions and the other questions raised, I think we need to have some dialogue. You don't just say, "If you do these things, we're going to support you." That might be the kind of answer that might be given in a debate. It might be appropriate to be given in a debate. And probably should have been given in a debate.

The issue now is, let us talk to the company and say that we want it as a matter of record that indeed rates will be lowered. We want it as a matter of record that you've reviewed all the health standards. We want it as a matter of record that while Michelle and Company, GASP and others, shut down Brunot's Island you opened it up and did it in a very clean manner, which I'm convinced they are meeting the air pollution standards. We once went after them tooth and nail but they did come back and we gave them a giant step forward award because they were the first to put in controls for pollution of utilities.

So, I think that meaningful dialogue will go a lot further than saying, "We're going to give this resolution subject to ..." and then we never hear from them again. They say, "Okay, this gets dumped in the circular file." If we really want to do something, let's have some dialogue.

Mr. Ferlo:

I just want to clarify because Michelle is misspeaking here. This resolution does not say that a study of the environmental health effects electro-magnetic field has to be done prior to or contingent upon. It doesn't say that.

It only says in approving the transmission line, the PUC should ensure that Duquesne Light, either voluntarily or whatever, should assist an independent study that is already underway. The Federal Government and other major electric companies around the nation have contributed into a pooled fund, they pooled their money and they are helping to finance independent research on this issue. And I would strongly suggest, and I think it's reasonable, for Duquesne Light Company to do what several other utility companies have done, including the Federal Government, and that is support the financial monies that are needed to do this study of electromagnetic fields because the research is still very ambiguous and questionable. And that's something reasonable that the PUC has the power to do in the public good.

Michelle Madoff:

Are we going to have a meeting? We're going to ask these questions?

The Chair:

Yes. We'll have a meeting.

Mr. O'Connor:

One last comment. Mr. Ferlo, we're agreeing with a lot of things you're saying here and just you're words "we should assist" or "we'd like to". What I like about this it says, "Duquesne Light will provide", "Duquesne Light will ensure", and "Duquesne Light will maintain its headquarters here". I don't think that's the way you work with big corporations. I like your tone verbally a lot better than I like it in writing

For the record, I support it. I supported it three, four, five years ago when I heard about it. It's just ludicrous to me that we had all this electricity sitting here and we couldn't sell it to other area. And the benefits are tremendous to

our City and our region.

But I do think we should know how they are going to finance it and how they intend on lowering the rates or at least maintaining the rates if inflation is going up.

So, there's credit on both parts but I just feel it's very strongly worded and I think it might send a bad message, the way it's worded.

The Chair:

If this resolution passed, it would give the PUC the reason to sit on this decision for another two years. The PUC is the organization of the quasi-governmental organization that needs to make a decision here.

Mr. Ferlo:

What impact? What point in this do you feel does that because I feel that's an unfair characterization of the resolution.

The Chair:

The point is that this issue has been in front of the PUC for two years and there still has not been a decision made. And this region has an overcapacity of utilities based on our industrial might of the past. And it's about time we can sell it and it can be profitable for this region, whether it's electric, gas or water. And that's basically what Duquesne Light is trying to do. And I think that's in the best interest of Pittsburgh and it's in the best interest of Western Pennsylvania.

Mr. Ferlo:

And the resolution supports that activity.

The Chair:

Let's have a meeting and talk about it.

Michelle Madoff:

On another subject. I would like to request a post agenda at the earliest time to address something that I have been appalled about for a very, very long time.

I'm sure everybody read the article in the paper about the policewoman who, through her memory, remembered that some of the kidnapping charges were familiar to her. She read something or remembered being involved with them in previous years.

In this article, which is about the third one I've read on this subject, I want to read you the last paragraph.

"Commander William P. Mullen of the South Side Station said that when he assigned the case from Tuesday and Thursday to Gilbert, she recalled similarities in the 1991 cases, even though she had not been the investigator for them. Gilbert found the 1991 cases by hand searching reports for that year."

I have repeatedly raised the issue of CIS and the Public Safety Department having information that we could bring up on our computers at a moment's notice. Frequently I ask for information.

I got a call last week from one of the radio stations wanting to know what progress has been made since lighting the garages in the garages. I repeatedly ask this question. What difference does it make? How many crimes have we had? Which garages were they in? Were they rapes? Were they assaults? Were they thefts?

"I don't know. We don't have that information." And it's always, we'll go back and we'll look at it manually. We'll go back through the records. It's too difficult; we'll have to go

back and do it manually.

This is approaching the 21st Century. All you have to do is give it a code, the same as you do water bills. You code it and say X means garages. B means a certain corner. C means a community. And you just pull them up in your computer and you have it at a moment's notice.

I think we need to have a meeting with Public Safety. I've raised this issue before and I think we need a meeting with CIS and we need to know why our data is not at our fingertips.

This isn't the first issue that has come up, nor will it be the last. And I think it would be extremely beneficial to know what goes on, not only in Public Safety but to get everything done in a 20th Century way of computerizing things.

So, I respectfully ask that we schedule a meeting on that tout de suite.

I have one other item. We talked today about the Public Safety Building and I think it's unanimous among my colleagues who have been, as I've said, bulletproof. We're the ones who did something about crime. We're the ones that got more police officers. We're the ones that got it funded. I repeat, perhaps redundantly, that the Mayor said there are no gangs. Well, there are 135 in the City. We're the ones that got neighborhood police officers. We're the ones that hung together. And I would respectfully say that four years ago I sounded the first alarm that youth and youth violence was going to get out of hand.

Well, I was watching "60 Minutes" this week and they talked about criminals being released from jails simply because there is no room. And it was no longer non-violent criminals being released but violent criminals.

We have a really terrible problem. As

said earlier during the resolutions, it's a very small percentage of the youth and the criminals that ruin it for everybody else. People feel they're being kept prisoners in their houses. I think each one of us could tell stories about what goes on in the North Side or the South Side or in Squirrel Hill or in your area about violence and how people are terrified by a small segment of the community.

With that in mind, I would like to suggest, and I'd like my colleagues to think about it, that we send a letter to our State, particularly our Federal Legislators, and to the President, suggesting that because of the upsurge in youth crime that we've experienced both in Pittsburgh and across the country, it might be in the best interest of the Federal Government to keep our military bases operating. They're talking about unemployment. We have these bases already and the havoc it's going to create in communities.

Maybe we ought to take various military bases and create special confining facilities. I don't even want to use the word "jail" but confining facilities. Shuman Center is seriously overcrowded. As a result, only the most serious offenders are sentenced to serve time. Many juveniles are never punished. And it isn't just juveniles; there could be a military camp that could hold hardened criminals.

We don't have the money to keep building prisons. We have these bases already. I hear everybody talking about we have the money to build prisons; why don't we use what we have? Why don't we use the personnel we have already?

It would solve many of our inner-city problems. We could have rehabilitation programs. We could try to turn those who are susceptible to being rehabilitated around. And, more important, we are going to get the lost generation, the hardened criminals where there is

no hope, away from those who are attacked by drive-by shootings, etc. I don't have to reiterate the problems of the violence in the street.

It's something I can't imagine why our President and our leaders in Washington aren't talking about. Here we've got the facilities; let's utilize them.

And I would like to have some thought about that and I would like to have a resolution prepared on that basis that would say that we would contact our Legislators in Washington, our President, and say, "Let's keep those bases alive wherever possible and let's use them for the good of humanity and the good of our citizens and get some of the crime problems addressed."

With that in mind, we'll get it ready and bring it forward and if everybody would think about it, I'd really appreciate it.

Mr. O'Connor:

It irritates me that they're all worried about saving the bases. You have a different reason. But where were they 10 and 15 years ago when it came to saving our factories and our mills and they let all these jobs go other places.

I remember you asked the Chief what is the biggest thing we could do against crime, and the first answer is jobs. If they get off their butts and do something with foreign trade and make sure we had good factory jobs for our lower or middle educated people --

I think they should put people to work before they worry -- If they worried about our steel mills like they're worried about these bases, we would be in better shape.

But I did have one positive note that I want to address. Armco Steel is moving to Pittsburgh. Everybody probably heard the news.

And I thought it might be appropriate since they're moving from New Jersey to Pittsburgh and haven't decided where they want to relocate, Downtown or the suburbs, a letter from Council welcoming them to the City and maybe strongly suggesting that they look at our Downtown as their office headquarter and anything that we might be able to do to assist them.

Try to send a strong message to them that they're more than welcome and if we have to pick them up at the Airport or roll out the red carpet, whatever we can do to assist them I think would be to our advantage, although I still welcome them to the area regardless.

The Chair:

Is that in the form of a motion?

Mr. O'Connor:

Yes.

Mr. Cohen seconded the motion.

The Chair:

I just want you to know that I've already done that as President of Council. I'm willing to share the letter but I think coming from all Members of Council it even says more and I appreciate you making the motion.

All in favor? Opposed?

WHICH MOTION PREVAILED.

Mr. Ricciardi:

On April 19, Monday at 7:00 p.m., I will be testifying in front of the Pittsburgh Board of Education requesting the Board of Directors pass a tax gentrification bill similar to the ones that we just passed and similar to the one that Allegheny

County has passed.

As we know here, a tax gentrification bill would cap tax assessments at five percent, really giving tax relief to taxpayers in the City of Pittsburgh who's tax assessments have gone through the roof through no fault of their own or through no improvements of their own, but really what has been happening in the neighborhood.

Currently in the City of Pittsburgh taxpayers can receive tax relief through the gentrification bill from Allegheny County and the City of Pittsburgh, but not the School Board.

I have registered as a private citizen, but now I'd like my colleagues to entertain a motion, the motion being that this Pittsburgh City Council strongly urges and requests the Pittsburgh Board of Education to pass a tax gentrification bill similar to the ones that we've passed after Act 146 of 1988 by the Pennsylvania General Assembly.

Mr. Ferlo seconded the motion.

The Chair:

Is there a time frame, Mr. Ricciardi, that you have to live in the home on that?

Mr. Ricciardi:

Yes. It's ten continuous years or five continuous years if you go through a government sponsored mortgage such as the URA.

The Chair:

All in favor? Opposed?

WHICH MOTION PREVAILED.

And on the motion of **Michelle Madoff**

Council adjourned.

MUNICIPAL RECORD

Proceedings of the Council of the City of Pittsburgh

VOL. CXXVII

Tuesday, April 20, 1993

No. 16

Municipal Record

ONE-HUNDRED TWENTY-SEVENTH COUNCIL

JACK WAGNER President
MICHAEL PERRY City Clerk
LINDA M. JOHNSON-WASLER Asst. City Clerk

Pittsburgh, PA
Tuesday, April 20, 1993

PRESENT:

MR. COHEN	MR. ONORATO
MR. DARKINS	MR. RICCIARDI
MR. FERLO	MR. WAGNER
MR O'CONNOR	(Pres't)

ABSENT:

MICHELLE MADOFF

The Meeting was opened by the recitation of the Pledge of Allegiance to the Flag of the United States of America, and a moment of silent prayer for peace throughout the world.

I pledge allegiance to the Flag of the United States of America and to the Republic for which it stands, one Nation, under God, indivisible, with liberty and justice for all.

PRESENTATIONS

The Chair:

We have a number of resolutions today and I would ask that we move as quickly as possible. I believe we have 10 or 12.

We have certain groups that have to move on and certain requests have been made for us to go out of order. So, I'm going to ask the first resolution to be presented by Councilman Onorato.

Mr. Onorato:

I'd like to call up Pat McNamara, Gabe Cocheres, Warren Broz, Domenico Casciato, Mayer DeRoy, Herbert James, John Joyce, Horace McDaniel, John Potter, Lawrence Wenko, Ralph McDaniel.

Colleagues, this is in recognition of the police officers that have retired. Some of you might have been at the dinner the other night last week where over 1,000 people were present. But it was a great, great event for a group of individuals that have done a lot for this City.

Mr. Onorato presents

No. 2483 WHEREAS, on Wednesday, the 14th of April, 1993, the Pittsburgh City Police Department will honor forty-five individuals who will retire from the City Police Force; and

WHEREAS, the retiring men and women have served bravely throughout their careers by maintaining the safety of our City and recognizing that the life and liberty of its citizens is the primary area of responsibility; and

WHEREAS, crime rate and service call rates have steadily increased, but the members of Pittsburgh's Police Force challenge themselves to perform their duties with knowledge and pride; and

WHEREAS, the City of Pittsburgh draws many visitors into our area each year for our many social, cultural and sports events, and our City Police Officers are called upon to maintain the peace and dignity at these events, so we also recognize these fine men and women as Goodwill Ambassadors; and

WHEREAS, the 25th Annual Retirement Party marks one of the FOP's top events of the year and highlights good fellowship and fraternalism at its best.

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh joins with the citizens of Pittsburgh in acknowledging and saluting Ronald S. Bernot, Wayne Brooks, Warren J. Broz, Francis M. Butler, James C. Campbell, Domenico Casciato, Edward N. Conley, John C. Corr, Thomas Cunningham, Arthur L. Day, Mayer A. DeRoy, Oliver Durden, Jr., Charles L. Eddy, James J. English, Kathleen P. Flannigan, Thomas P. Foley, Earl J. Frobe, William V. Holtz, Robert V. Ieraci, Gerbert B. James, John J. Joyce, III, Martin R. Joyce, Robert W. Kern, Paul A. Laukaitis, Patrick R. Leheny, Jr., Thomas E. Leheny, Norbert J. Loveland, Arthur Marunich, John F. Mook, Marilyn A. Murdaca, Horace J. McDaniel, Ralph McDaniel, John J. McMahon, John J. McMonagle, Ronald S. Parzich, Joseph R. Peretic, Robert J. Poremski, John C. Potter, James R. Ramsey, Ronald R. Saulis, Al R. Smith,

James E. Thornhill, James M. Walsh, Jr., Ronald T. Warren, Lawrence Wenko, who are honored and recognized for their distinguished and sincere dedication.

Mr. Onorato moved to adopt the resolution.

Mr. O'Connor seconded the motion.

Which motion prevailed.

Mr. Onorato:

As I stated last week when we had the promotions taking place in these Chambers, I would like to tell these individuals and all the police officers that this political body is behind the police force because we recognize in the 90's it's a lot different than it was when these gentlemen started the force. It's very important that they have the political leadership behind them also because we're asking them to do more and more and their families every day know that their lives are on the line.

So, we thank you for your years of service and we hope that you have a long retirement. Thank you very much.

Mr. McNamara:

As President of the Fraternal Order of Police here in the City of Pittsburgh, I thank the City Council for taking time out this morning to honor these fine police officers who are leaving the Pittsburgh Police Department.

As I stand in front of you, their years of service run anywhere from 27 to 43 years of service. And when I look at that, I was only about 8 or 9 years old when some of these gentlemen were on the Police Department, and the day I tried to lead them in battle in protecting their benefits.

Some of these people are very

distinguished. They are Chiefs, Commanders, who have done a tremendous job in this City of Pittsburgh.

And we have one individual here whom we're very happy to have here today. He had a hell of a battle to survive, as you know. Two officers were killed over two years ago in a car chase and we have two officers that survived that battle. One of the officers we have with us today and that's Larry Wenko with 38 years of service. He survived that battle, is now retired and I wish him the best of luck.

This is our great Chief who retired, Mayer DeRoy, who served us well. I would ask him to come up and say a few words to you. And also Sergeant John Joyce who has 43 years of service, and anybody who wants to say a few words, as brief as they can, for the long years they gave to this City of Pittsburgh.

Chief DeRoy:

Thank you, Patrick, and also thank you, Honorable Members of Council, particularly Dan Onorato.

You know, through the 35 years that I worked for the City of Pittsburgh and the 10 years prior to that when I spent a lot of time with the police which really gives me 45 years seniority, only 35 is counted, we didn't have horses when I came on. But some people think 35 years ago it was a different matter, and of course it was.

I've noticed through the years as people who have worked for the City have gone, have retired, there's been very, very little acknowledgement of the fine job they did. What many people thought years and years ago, people who took jobs with the City of Pittsburgh, including police and firemen, were just freeloaders and they did very little. They didn't serve the public as they thought they should be

served.

Unfortunately, through the years I've seen more dedication in public service than I've ever seen in the private sector of industry. There's no question in my mind. And it really pleases me today that the gentlemen who are leaving, including myself, and Council has seen fit to recognize the work that we had done through the years. We've all been dedicated. We've had our good days and our bad days, as Waco, Texas will probably let us know. Not all decisions have been the best but, nevertheless, they've been made in the public interest.

The police have served the public. We'll continue even in our private sector, wherever we may be. But we want to thank this honorable body today for recognizing us. Thank you very much.

Sergeant Joyce:

I want to thank you, Pat, and Members of Council, for the honor you've bestowed on us today.

Through the years police work has changed but it's been my privilege to serve the citizens of this City. I think it was an honor to do it and I did it to the best of my ability with so many other good fellow officers. I'll miss all of you and thank you again.

Mr. McNamara:

Gabe Cocheres, Vice President of the Fraternal Order of Police.

Gabe Cocheres:

Members of Council, I want to thank you for joining us at the retirement party. I want to thank all the City officials that made it. God bless you and I hope to see you again next year. Thank

you very much.

Mr. McNamara:

Just real quick, the Chairman of the Retirement Party is also retiring, Warren Broz.

Mr. Broz:

I want to thank the Membership of the Fraternal Order of Police for allowing me the honor of being the Chairman for this event. And since I'm one of the retirees this year, it's a little saddening to go.

I want to thank the Council body for honoring all of us. Thank you.

Mr. McNamara:

Lieutenant Domenico Casciato, 37 years of service. Herbert James, 37 years of service. Horace McDaniel, 37 years of service, Commander. His brother Ralph McDaniel, 27 years of service. John C. Potter, 36 years of service.

Let's give a nice hand for the many, many years of effort.

I thank Council President and all the Councilpeople. The body you see here is exactly the people who attended the retirement party and we thank you for taking time out of your schedule. Exactly the people you see here. Thank you very much.

Mr. Darkins:

I'd just like to bring it to the attention of my colleagues on Council first to say to Councilman Dan Onorato that you're doing a veyr fine job as the Chairman of the Department of Public Safety in honoring these fine illustrious officers that are leaving us from the line of

government.

I hear Michelle say so many times, and in her absence today, that she is the historian of Council, and we're glad about that about Michelle. But as I look at all of these gentlemen that are retiring and that are leaving the City of Pittsburgh from the Police Department, I can say of a truth when we go back 30 years ago, when I kind of started with you in the department of automotive equipment with Leo Gill, and the rest of my colleagues on Council don't know what transpired back then. We had a little poor church and these policemen used to come in on Monday morning and count Sunday morning's collection for me. A poor church.

The Chair:

Thank you all.

Mr. Ferlo:

We have a couple of guests with us this morning who failed to be here on the last two occasions. Actually, this resolution has to do with an event that already took place a few weeks ago.

But, Councilman Cohen, if you could please come up. Since this is such an important organization, both Councilman Cohen and myself had introduced resolutions.

At this time I would like to present to Molly Knox and Ria Nascone from Pittsburgh Action Against Rape the following resolution on behalf of myself and Councilman Dan Cohen.

Mr. Ferlo presents

No. 2484 WHEREAS, Pittsburgh Action Against Rape (PAAR) has provided comprehensive cost-free services to child and adult victims of sexual abuse for two decades;

and

WHEREAS, each year 3,000 Allegheny County victims or their families use PAAR's crisis intervention services including a 24-hour hotline, medical advocacy, legal advocacy and crisis counseling; and

WHEREAS, PAAR also provides long and short term adult counseling, group counseling, child counseling and play therapy; and

WHEREAS, PAAR provides prevention and awareness education to more than 10,000 children and adults annually and trains more than 3,000 professionals who work with survivors of sexual abuse in the medical, legal, educational and mental health systems; and

WHEREAS, every 15 seconds in the United States a woman is beaten; and

WHEREAS, fifty percent (50%) of all American women are sexually assaulted at some time in their lives; and

WHEREAS, PAAR organized and sponsored a highly successful "Take Back The Night March" on April 2, 1993, to publicize how the streets are unsafe at night for women and to express how many women spend their lives confined by fear.

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh hereby officially recognizes Pittsburgh Action Against Rape (PAAR) for its dedication in providing quality and compassionate services to victims of sexual abuse; and

BE IT FURTHER RESOLVED, that the Council of the City of Pittsburgh hereby declares the week of April 12-19, 1993 as "Take Back The

Night Week" in the City of Pittsburgh.

Mr. Ferlo moved to adopt the resolution.

Mr. Cohen seconded the motion.

Which motion prevailed.

Mr. Ferlo:

We'll move quickly to Molly and Ria Nascone who is a boardmember of PAAR. This was an event that was held, in fact, it was held right here in Council Chambers. It was a very cold, rainy night that night and following the march they actually utilized the Chambers here, had to realign all the desks and chairs, and it was a great event.

At this time, I'd like to ask Molly and Ria to say a few words, and then ask Councilman Cohen to please close it out.

Ms. Knox:

First of all, I want to thank Councilman Ferlo for doing something very special for Take Back the Night. Take Back the Night has its roots in the community where women and men and children rise up and say no more. We're tired. We're so tired of not being able to go out of our houses. We're so tired of the violence in our communities that keeps us captive.

That night was something special. Many of you probably were here. Many of you were not. But had you been here you would have seen in Council a night of celebration where all these desks were moved and this entire Chamber was packed with people who felt empowered about their own lives. And for one night, at least, we were safe to take back the night.

I want to thank Councilman Ferlo for making that possible. In my experience in

Pittsburgh I have never seen so many people in Council Chambers with such exuberance.

I also want to thank Dan Cohen for his work and continuing support in this resolution, and the other Members of Council. Our Councilman Gene Ricciardi and the other members who have made our work possible.

Sexual violence in this culture is increasing and on behalf of the 3,400 new victims that we will see this year, I thank this Council for its support. And I look forward to many more nights where we will be safe on the streets and we won't have to devote one night to Take Back the Night. Thank you.

Ms. Nascone:

I just want to thank Council. We appreciate and need your help. Thank you.

Mr. Cohen:

Thank you. It's hard to be more eloquent than Molly Knox, that's for sure, so I won't even try.

Let me just take a moment to congratulate Pittsburgh Action Against Rape. I took a tour of their offices just a little while ago. Molly gave me a personal tour, and it's just fantastic what they're doing there.

Take Back the Night was a terrific event for what they do every single solitary day at that building. And if you haven't been there, you should go. It's terrific. The counseling, the education, the prevention, it's perhaps the best used building that I've seen in terms of all that's going on there and I just want to congratulate you for all that you've done. Thank you very much.

The Chair:

Thank you for being here. Keep up the good work.

Mr. Cohen:

I appreciate everybody's patience here this morning. Eileen and Pat, I told you that we were going to be first and I was wrong. But we are now.

If everybody from the Race For The Cure could come up here please, I would appreciate it.

Members of Council and everyone who is in attendance today, this proclamation concerns a very significant event that will take place on Mother's Day, and I'm proud to read this resolution.

Mr. Cohen presents

No. 2485 WHEREAS, breast cancer is the leading killer of women, from all causes, between the age of 35-54; and

WHEREAS, breast cancer research and awareness is a national health care priority; and

WHEREAS, The Susan G. Komen Breast Cancer Foundation Race For The Cure, a five kilometer run/walk benefiting breast cancer research and awareness, has raised over \$15 million in ten years of races around the nation; and

WHEREAS, Pittsburgh will hold a local race as part of this important national event for the first time on Mother's Day, May 9, 1993, in Schenley Park, organized by the National Council of Jewish Women, which is celebrating its Centennial in 1993; and

WHEREAS, a coalition of local

healthcare providers and women's organizations have joined together to support this endeavor with sponsorship funding provided by local hospitals, corporations, foundations and individuals, and the media sponsorship of WTAE-TV; and

WHEREAS, 75 percent of Pittsburgh's Race For The Cure's proceeds will stay in the community for locally-designated projects as a mammography voucher system for underserved women, with the remainder benefiting the national research grants program of The Komen Foundation.

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh hereby commends The Susan G. Komen Breast Cancer Foundation Race For The Cure; and

BE IT FURTHER RESOLVED, that the Pittsburgh City Council hereby proclaims Sunday, May 9, 1993 to be "Race For The Cure Day" in the City of Pittsburgh.

Mr. Cohen moved to adopt the resolution.

Mr. Ferlo seconded the motion.

Which motion prevailed.

Mr. Cohen:

The Race For The Cure for breast cancer began in Dallas in 1983. And this year I believe there are 33 cities that are sponsoring this event around the country and Pittsburgh is one of them and we are expecting a terrific turn out on Mother's Day.

As we said in the proclamation, the proceeds will go to the Susan G. Komen Foundation, but 75 percent of the proceeds that are raised locally will stay here in our local

community.

I'm proud to be an Honorary Co-Chair of this event and there are a number of other honorary Co-Chairs including other people who are here in this room, Councilman Bob O'Connor, Councilman Jack Wagner, Mayor Masloff, the three County Commissioners, Representative Tom Murphy, Greg Fajt and Elsie Hillman. This is a bi-partisan event. Dr. Bernard Fisher is, I believe, the Chair of the event.

But, the real work for this event has been done and is continuing to be done up until Mother's Day and probably afterwards by the people here to my left, and I want to introduce them. The Co-Chairs are Eileen Lane and Pat Seiger. Judy Kasten is here who is Vice-President of the National Council of Jewish Women, the Pittsburgh section. Craig Merit is the Race Director of the Race For The Cure. He is also Administrative Assistant for the Department of Public Safety here in the City. Lynn Jacobson, Administrative Assistant for the race. Bobby Elmer, Committee Chair for Race For The Cure. Audrey Richbloom is on the Public Relations Committee. And Bernice Austin we have here with us today who is a volunteer and a breast cancer survivor. Thank you all so much for all the work that you've done for this fantastic event.

I want to present this to Eileen Lane and Pat Seiger but it's also to you as Co-Chairs. Congratulations.

Ms. Lane:

Thank you. I want to thank Council's recognition for this event and for your support and the support of Councilman Cohen and the other Members of the Council who have agreed to be honorary Co-Chairs. I think that your support is indicative of the kind of community-wide support this event has engendered and how important it is to reach out to the whole

community with the message that while breast cancer, the incidence and prevalence is very concerning to all of us, that through awareness, education, research and early detection we can indeed win this race in the fight against breast cancer.

I'd like to just ask Bernice Austin who has been a valuable volunteer to this effort and a breast cancer survivor to also say a few words. Thank you.

Ms. Austin:

I'm especially glad to be here today to thank Council for the proclamation because I am a survivor. And I mean that in every sense of the word.

My message to all women and to husbands is to make sure that your wife or you go and have a mammogram. Early detection is what saved me and it could very well save you. Thank you.

The Chair:

Thank you.

I would like to ask Oakland Catholic High School and everyone that is part of the Oakland Catholic Basketball Team to please step forward to receive this resolution, including the Coach, Suzie McConnell-Serio, the Principal, Madeline Vincunas, and the team which we're honored to have here today.

They recently won the State AAAA Girls Basketball Championship and we're extremely proud and honored that you have won that championship, that you're from Pittsburgh, and that you're with us today.

And we're honored to have Suzie McConnell-Serio here. Suzie has been here in

Council several times in recent years. She was part of a State Championship Basketball Team at her grade school, Our Lady of Loretto in Brookline. The Seton LaSalle High School State Championship Team, and the United States Girls Olympics Championship Team in South Korea back in 1988. So, we're extremely honored to have Suzie and the team here today and we're honored to present this resolution.

The Chair presents

No. 2486 WHEREAS, on April 2, 1993, the Oakland Catholic High School Eagles Girls Basketball Team captured the PIAA Class AAAA Basketball Championship at Hersheypark Arena with a 57-53 win over the Downington Whippets; and

WHEREAS, the Eagles earned the respect of many by upsetting the Whippets, who had won the past two Class AAAA titles and four in the past eight years; and

WHEREAS, the Oakland Catholic championship victory, led by Coach Suzie McConnell-Serio and Assistants Nancy Fierschnaller and Pete Serio, was the first major championship earned since the school opened four years ago as a merger of Sacred Heart and St. Paul Cathedral; and

WHEREAS, the team members are Keisha Cameron, Shannon Crombie, Susie Frobe, Reenie Gottschalk, Clare Kraus, Kelly Matthews, Courtney McCaffrey, Michelle Meyers, Erin Miller, Kim Moser, Kelly O'Brien, Katie O'Connell, Kim Saus, Jessica Staniszewski, Heather Tomley, Bridget Ward, and Jean Williams; and

WHEREAS, the success throughout the Eagles' 29-2 season and in the finals is a testament to the exceptional spirit and determination of each team member and the

coaching staff.

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh does hereby congratulate the Oakland Catholic High School Eagles for achieving the PIAA Class AAAA Girls' Basketball Championship; and

BE IT FURTHER RESOLVED, that the Council of the City of Pittsburgh commends the coaches, parents, teachers, and students of Oakland Catholic for their support and encouragement offered to the team on their paths to success both on and off the field.

Mr. Cohen moved to adopt the resolution.

Mr. Ferlo seconded the motion.

Which motion prevailed.

The Chair:

Again, I would like to thank each and every one of you for this championship. And Council, many times, brings teams in here that have won championships. And certainly we do that because we're proud that all of you have won a significant championship. But we also do that because we know how much athletics means in terms of preparing you for life. In terms of it being a character builder, in terms of the competitiveness, in terms of simply your dedication to the sport which really can lead to encouragement of a profession and dedication within that profession.

Certainly that has happened with Suzie. Suzie was extremely successful on the basketball court and she has given all of you many of her experiences which I know many of you will carry forth in your life. So we're not only proud for you because you won the State Championship, we're proud for you because of the individuals that you

are and we know you'll carry forth that success into life.

Suzie, we're proud and honored to present this to you and we would like you to say a few words.

Mrs. McConnell-Serio:

Thank you very much. I just want to thank President Jack Wagner for honoring us here in Council. It truly is an honor to be recognized like this and the recognition, I think, is well-deserved for this team for the hard work that they have put forth in bringing back a championship not only to Western Pennsylvania but Pittsburgh in particular.

And I think like me they have proven a lot of people wrong showing they don't have to be at least six feet tall to play the game of basketball with our tallest players being 5'10".

They worked very hard and had a lot of heart all year and I think it's a recognition that is well-deserved because of the hard work and dedication that they have put into the game of basketball. And I think they have represented themselves, their school, Oakland Catholic, and the City of Pittsburgh extremely well and they're just a class act overall.

So, again, I want to thank you for this honor.

Principal Vincunas:

On behalf of the entire Oakland Catholic High School community I want to extend my thanks to President Wagner and to all Members of Council for awarding us this recognition.

Everything that Suzie said about these young women I will say double. They were a coach and a team with a mission and they did us

all proud. Thank you very much.

The Chair:

We would like the team captain representing the students, Shannon Crombie, to please say a few words.

Shannon Crombie:

I just again would like to say thank you to the City Council for recognizing us. We worked so hard all season. We've been practicing since the beginning of October and all the running that we do and all the practices that we have. I think a lot of times people take for granted how much athletes work during their seasons and it's just very nice to see everybody appreciate the hard work that we've given.

It's also nice because we've proven a lot of people wrong because they did doubt us through the year. And we just want to say that we're No. 1 in Pennsylvania.

Mr. Cohen:

Would the people from the Pittsburgh March Committee come up, please? And Mr. Ferlo?

This is a very important event that will take place this week in Washington.

Mr. Cohen and Mr. Ferlo present

No. 2487 WHEREAS, the Pittsburgh March Committee is a grassroots organization which has been working since September 1992 to plan, organize and transport a large contingent of Pittsburghers to Washington, D.C. on April 25th for the 1993 March on Washington for Gay and Lesbian Rights; and

WHEREAS, this 1993 March is expected

to bring nearly one million people from across the nation to Washington, D.C. for a week of special events; and

WHEREAS, the Pittsburgh March Committee and the 1993 March on Washington is part of a national movement to extend basic civil rights to all Americans, including the right to be protected from discrimination in housing, employment and public accommodation, and to advocate for greater government funding of research on AIDS and breast cancer, stronger laws prohibiting "hate crimes" based on sexual orientation and lifting the military's ban on gays and lesbians; and

WHEREAS, all forms of discrimination undermine the fundamental principles of civil rights on which this nation was founded: that all men and women are equal before the law and the government that serves them; and

WHEREAS, the Pittsburgh March Committee and native Pittsburgher, Billy Hileman, who is the National Co-Chair for the 1993 March on Washington, are fighting to extend these principles of equality to all Americans, regardless of race, religion, national origin, gender or sexual orientation.

NOW, T HEREOF, BE IT RESOLVED, that the Council of the City of Pittsburgh congratulates and commends the Pittsburgh March Committee for their service to the City of Pittsburgh and the nation; and

BE IT FURTHER RESOLVED, that the Council of the City of Pittsburgh declares Sunday, April 25, 1993 as "Pittsburgh March Committee Day" in the City of Pittsburgh.

Mr. Cohen moved to adopt the resolution.

Mr. Ferlo seconded the motion.

Which motion prevailed.

Mr. Cohen:

I decided to introduce this resolution after seeing the fantastic job that the Pittsburgh March Committee is doing to organize for this march on Washington. They've worked very hard for a long time and we should be proud that Pittsburgher Billy Hileman, unfortunately we couldn't get him here today because he's down in Washington, is the National Co-Chair of the event.

These people will come to Washington for the specific goals described in this resolution. But what the march is really about is a fundamental right, a fundamental right upon which the country was founded but which has not been granted to many minorities including gays and lesbians, and that's the right to be treated equally.

It's unfortunate, really, that this massive action has to happen in order to wrestle this right to its entitled owners. But it does. And the terrific turnout that's expected, and the incredible amount of work that's gone into this, will really be seen this weekend.

So, I want to thank you all who are here for all the work that you've done. I want to identify all the people who are here today and they are: Andrew Griner who is the Co-Chair of the Pittsburgh March Committee; Chris Newman, Lincoln Lawry, Chris Young, John McCarter, Art Manion, Susan Yough, Michael Malinchek, Darren Ryan, John Prilovich, John Gregor, Chris McCloskey, Mel Borum, Sharon Davis.

What I'd like to do is turn this over to Andrew Griner and Susan Yough who is going to speak also, and then have Councilman Ferlo who co-sponsored this with me to close it out.

Mr. Griner:

I'd just like to thank City Council and Councilman Ferlo and Cohen for introducing the resolution.

This is very important to us. Obviously we're planning the largest civil rights march in the history of the country, five days away. The job of the Pittsburgh March Committee is to ensure that Pittsburgh is equally represented there. Our goal is to have at least 10,000 people from the area to participate in the march.

One thing that's really important about the march is that the official title is the 1993 March on Washington for Lesbian, Gay, Bi-Sexual Equal Rights and Liberation. And I think the four words at the end, equal rights and liberation, are very important. Equal rights, what we're asking for, is to be equal in the eyes of the law and the eyes of the government. And liberation takes on a more personal meaning, and that is I consider that liberation from oppression.

In Pittsburgh we're fortunate here that we are protected from discrimination in housing, employment and public accommodations. Most people in the country who identify as gay, lesbian or bi-sexual do not have that protection. That's one of the goals of the march, to ensure that for everyone. So, we're fortunate here that we have that because most people don't.

That's the legal aspect of things. In terms of actual rights, that means not being attacked on the street. That means not being thrown out of your apartment. So there is a big difference between the legal right which is written on paper, enforced by the government and the City, and the actual right where it happens in practice. I think that's one of the big goals, to have a large visible event to push that point home.

Ms. Yough:

As a representative to the National Steering Committee for this march on Washington representing the states of New Jersey, Pennsylvania and Delaware, and also as a native of Pittsburgh and also as a student, I want to thank the Pittsburgh City Councilmembers for their support in supporting this every important event, this march on Washington. Thank you for supporting our struggle for equal rights for lesbian, gay, bi-sexual and transgender people.

This is truly a very important event for me and many Americans because equal rights should not be denied to any individual or group of people. Thank you again for your support.

Mr. Ferlo:

I'd like to just add a few comments. I don't think there should be a shotgun approach to civil rights protections in this country and that's basically what we have today. It is good that the City of Pittsburgh just a few years ago, with its amendment to the prerogatives and the purview of the Human Relations Commission, extending the obligations of the Commission to deal with discrimination and public accommodation, housing and employment. But the fact of the matter is, there's only a few hundred communities around this country that have passed such ordinances. And that's really not the situation. That's really not what should happen.

What should happen is a fundamental act on the part of the Congress and the signing by this President to guarantee that civil rights protections are extended uniformly, equally across every municipality, every community, every state in the United States today. And that's part of what the agenda proposes to advocate and coalesce that sentiment this weekend.

There will be hopefully close to a million

people there this weekend and I think it's important to reflect momentarily on the context in which this march is taking place. The fact of the matter is, for 12 years there's been an administration in the White House that has been loathe and obviously opposite and not caring about the concerns that are being raised by the march. So, if anything, it's a critical juncture in the history of this civil rights movement affecting the rights and the prerogatives of gays and lesbians in this country.

We have an administration that at least in principal ran on saying that they were committed to extending equal rights protections. Now it's a question of coming home to roost. It's a question of President Clinton taking the leadership. I think he partly demonstrated that leadership just recently with a meeting that included a Pittsburgh representative, Bill Hileman. You may have recognized him in the picture. He didn't exactly set a fashion trend. He was the one in blue jeans and a vest. But the fact of the matter is, he had an important message to deliver to President Clinton.

I do want to thank my colleagues who contributed financially to support the buses. But the fact of the matter is, we need leadership from the White House and from the Congress. It should not rely on each and every single community working to pass an ordinance and that's part of what the banner will read this coming weekend. And I encourage all Pittsburghers to support the march this weekend and obviously I lend my voice in applauding this team here in terms of fighting for basic fundamental rights.

Mr. Cohen:

Andrew and Susan, could you come up here for a moment, please? I want to officially present this to you. Congratulations.

The Chair:

Thank you all.

Mr. Cohen and Mr. Darkins present

No. 2488 WHEREAS, the Pittsburgh Cancer Institute has initiated an African-American Cancer Program which emphasizes the concepts of cancer prevention, early detection, diagnosis, and education; and

WHEREAS, one of the overall goals of this program is to increase the accessibility to quality health care, multi-disciplinary cancer management, and improved patient compliance to decrease cancer mortality in the African-American community; and

WHEREAS, the National Cancer Institute has designated the week of April 18-24, 1993 as "National Minority Awareness Week".

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh commends the Pittsburgh Cancer Institute for its outreach and community efforts in working to lower the risk and toll of cancer in the African-American community; and

BE IT FURTHER RESOLVED, that Pittsburgh City Council hereby proclaims the week of April 18-24, 1993 as "African-American Cancer Awareness Week" in the City of Pittsburgh.

Mr. Cohen moved to adopt the resolution.

Mr. Darkins seconded the motion.

Which motion prevailed.

Mr. Cohen:

Thank you very much. Councilman

Darkins and I have introduced this resolution, as I said, for a very, very important institute. Cancer in African Americans is the second leading cause of death, second only to heart disease. And the Pittsburgh Cancer Institute has been working to improve awareness of cancer in the African American community. They're working with many, many community groups to increase screenings for African Americans and to provide information for early detection.

We have our own Director of Parks and Recreation, Reggie Young, who is Chairman of the Board of this Advisory Committee. We also have with us today Dr. Earl Bell Smith who is the Medical Liaison of the African American Cancer Program at the Pittsburgh Cancer Institute at the University of Pittsburgh. Jewel Mosley who is the Coordinator of the African American Cancer Program. And Karen Robinson who is the Clinical Director of the Cancer Information Referral Service.

I want to thank all of you for all the work that you've done in this very, very important project and I'd like to present this resolution to Dr. Smith, to all of you. But, Dr. Smith, if you would please take this with out thanks and our congratulations.

Dr. Smith:

Councilman Cohen, President Wagner, Members of City Council, guests and my associates. On behalf of the Pittsburgh Cancer Institute, I accept this plaque and proclamation with deep gratitude and appreciation.

At the Institute, there are many, many people who are working diligently daily trying to decrease the mortality in Afro-American people through the concept of education, early diagnosis, and the availability and accessibility of high quality cancer care.

So, on behalf of the entire group, thank you very much.

Ms. Mosley:

I'd just like to say as Coordinator of the program for the Pittsburgh Cancer Institute, we are determined to try to significantly and substantially reduce the mortality rates of cancer in the African American population.

I am an African American female who is concerned about the causes of death in our population. We know that violence and drugs have taken some of our younger men away, our younger people away, and death and disease are taking our older people away.

So, the Pittsburgh Cancer Institute has tried to make an impact on these death, and has tried to reduce the deaths by helping any way we can.

I'd like to say that we are committed and we do intend to go the long haul with this program.

Ms. Robinson:

Our ultimate goal is to decrease the mortality and the morbidity due to cancer in the African American population. We certainly realize that we cannot do this alone and we're reaching out and hoping that the community will join us in our efforts to achieve our ultimate goal. Thank you.

Director Young:

I want to thank Pittsburgh City Council for this recognition. It has been my honor for the last year to serve as Chairman of the African American Outreach Advisory Committee. I've learned an awful lot about a disease that has a very significant impact on mortality and

morbidity in the African American community and have increased my efforts to try to make sure that information and early detection are ways that we can try to decrease this by getting more African Americans to understand how terrible this is.

The Pittsburgh Cancer Institute is an affiliate member of the University of Pittsburgh Medical Center and is the local designated agency as a comprehensive cancer treatment facility affiliated with the National Cancer Institute. And I think by working with a number of community groups like we have been doing and like we intend to do, we will get the information out to the African American community in terms of ways of how to deal with this terrible disease. Thank you.

The Chair:

Thank you all very much.

Mr. Ferlo:

On behalf of Councilman Onorato from the North Side and myself, I'd like to read this resolution and sweeten up these resolutions today.

Mr. Ferlo and Mr. Onorato present

No. 2489 WHEREAS, the Reinhold Ice Cream Company is a Pennsylvania Corporation which originated in the late 1890's as a sideline to the Reinhold family bakery business in the vicinity of Oakmont, Pennsylvania. It is the area's oldest ice cream company, and the sole ice cream manufacturing company in the City of Pittsburgh; and

WHEREAS, in 1920, Reinhold Ice Cream moved to its second location in the Garfield section of Pittsburgh in a building purchased by Frank Mandell in 1943. In 1980,

additional warehouse, manufacturing and garage space was purchased and the company moved its present location on the Northside; and

WHEREAS, Reinhold Ice Cream Company has grown through reputation for product quality and variety, serving customers within a 120 mile radius of Pittsburgh; and

WHEREAS, Robert Mandell owns Reinhold Ice Cream Company. A Pittsburgh native, he became a full-time employee while attending the University of Pittsburgh Law School, from which he graduated in 1962. He also is a 1959 graduate of Princeton University; and

WHEREAS, Mr. Mandell began working in the family ice cream business at age 12 and spent each summer working in every facet of the operation. He became a full-time employee while attending law school and, upon graduation, assumed the responsibility of general management. His lifetime of experience in the ice cream business covers approximately 38 years of working knowledge to date; and

WHEREAS, Robert Mandell's son, Michael Mandell, the third generation to be active in the ice cream business, is in charge of the sales and marketing department. He, like his father, has been working since the early age of 13, learning the business from the ground up; and

WHEREAS, Reinhold Ice Cream manufactures over 100 different flavors of ice cream, sherbet, sorbet and yogurt. Their novelty line ranges from no-fat yogurt to the world's first microwavable milkshake.

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh commends Reinhold Ice Cream Company for their vision to be a Pittsburgh-based company and serve the people of Pittsburgh with

great tasting ice cream for over 100 years; and

BE IT FURTHER RESOLVED, that the Council of the City of Pittsburgh declares Tuesday, April 20, 1993 as "Reinhold Ice Cream Day" in the City of Pittsburgh and encourages all citizens to support Pittsburgh products.

Mr. Ferlo moved to adopt the resolution.

Mr. Onorato seconded the motion.

Which motion prevailed.

Mr. Ferlo:

I just want to thank the gentlemen for coming down. We have both Bob, Sr. and Bob, Jr. here today and I'll defer to them as to who would like to come up to the microphone and then I'll turn it over to the North Side representative who benefits directly from the operation of this business which employs a significant number of Pittsburghers.

Mr. Mandell, Jr.:

I'd like to first start off by thanking the Members of Council for giving us this honor today and to let everyone know that three generations of our family have worked hard to bring the company where it is today and that we've recently launched a new ice cream that is much better than any ice cream out on the present market place and that we look forward to its success to help us carry a Pittsburgh tradition on into the next century. Thank you.

Mr. Mandell, Sr.:

I just want to thank City Council for recognizing the importance of small business to Pittsburgh's well being. And as a small businessman I'll tell you how much I appreciate it.

I also want to add that the new ice cream is called Pittsburgh's Finest. Thank you.

Mr. O'Connor:

We have Dave Drombroviak who is the Vice President of St. Francis Foundation and Peg Fiedler, his assistant, who does most of the work for all the campaigns we have here.

Mr. O'Connor and Mr. Ferlo present

No. 2490 WHEREAS, in 1865 three nuns of the Order of the Sisters of St. Francis established St. Francis Hospital in the City of Pittsburgh with the purpose of providing much needed health care to the poor and underprivileged of the City; and

WHEREAS, for over 100 years the Sisters of St. Francis and St. Francis Hospital have fulfilled that mission, and over the years St. Francis Hospital has become an internationally recognized leader in the treatment of alcoholism and mental illness, as well as for its advances in industrial medicine, heart surgery, laser surgery and nursing education; and

WHEREAS, the St. Francis Health System began the "Courage To Come Back" Award Program in 1988 in order to honor individuals who have suffered from a devastating accident, illness or injury, and in their recovery they have so demonstrated their courage that their peers have nominated them as models of hope for others; and

WHEREAS, the "Courage To Come Back" Program has been designed to raise funds to provide financial assistance to people receiving treatment at St. Francis Hospital who are without the financial resources to do so; and

WHEREAS, on April 24, 1993, Pittsburgh Steeler great and Program Chairman of the "Courage To Come Back" Special Awards Dinner, Rocky Blier, together with Program Co-Chairmen Louis Pappan, John Connelly, James C. Roddey, C. Michael Blackwood, and Howard Baldwin, will present the 1993 Courage Awards to:

William Welsh
Berniece Jordan
James Alles, Sr.
Ronald Dickey
Trey C. Glauser

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh commends the St. Francis Health System for its vital and much appreciated efforts, through it's "Courage To Come Back" Program, to better the lives of the citizens of Pittsburgh, and further, joins with them in extending our best wishes and congratulations to this year's award winners for having the "Courage To Come Back".

BE IT FURTHER RESOLVED, that the Council of the City of Pittsburgh does hereby declare the week of April 18 through April 24, 1993, "Courage To Come Back Week" in the City of Pittsburgh.

Mr. O'Connor moved to adopt the resolution.

Mr. Ferlo seconded the motion.

Which motion prevailed.

Mr. O'Connor:

I have been involved as a Boardmember and on the Committee for the Courage Dinner for over five years and its probably the most outstanding events that you'll ever attend. We're going to have over 800 people there. If you can't

buy a ticket, hopefully you should at least support it in whatever way you can. It's a very touching and emotional evening to see what people have done. There's usually not a dry eye in the place when we leave this event because we all think we have problems until we see what other people have done and overcome.

Again, I'm very proud to be a part of St. Francis. They give tremendous amount of support. They give I think almost double what any other hospital in the area gives to the underprivileged and the poor of our area and I just want to congratulate everybody and hopefully we'll support them.

Mr. Drombrowiak:

Thank you, Members of Council, Councilman O'Connor, Councilman Ferlo. On behalf of the Sisters of St. Francis of Millvale and the Board of Directors of the St. Francis Health System, please accept our thank you for this recognition.

The Courage to Come Back Campaign does indeed recognize individuals who have come back from devastating accident, illness or injury and have gone on to do something more with their lives, to contribute something more to the community than merely recovering.

This year we had over 134 nominations and those nominations come from all over the Tri-State area and indeed from New Jersey and Ohio and West Virginia as well. It can be from any hospital anywhere; it's not just St. Francis patients. So we take great pride in having Rocky Blier as our Chairman and the other Co-Chairmen in recognizing these individuals who show us hope in the future.

As I was waiting to come up here we saw the basketball team recognized, we saw the Police Department recognized, we saw people

who are cancer survivors and those who are fighting cancer by having a race, all of which had one underlying thing, and that was courage. And that courage is part of each and every one of us inside and is part of the things that make us human beings. Our quest for justice and truth, goodness and beauty and courage make us human beings. All of us have courage inside and I thank you for this recognition of our courageous winners of '93.

Mr. Ferlo:

Very quickly, the good work of St. Francis, especially for Lawrenceville, Polish Hill and Bloomfield is without parallel. But nothing more could be said because it would take a long time to talk about all the programs and activities of this institution in the community.

But I do want to point out, and I want to thank personally Councilman O'Connor, who maybe most people don't know but have been very active for many years with this specific campaign and I just want to point out and congratulate Councilman O'Connor himself for his dedication and courage and work with St. Francis. Thank you.

The Chair:

Thank you all.

Mr. Onorato:

You waited long enough. Could I have the girls and boys teams of Perry High School come forward at this point?

Colleagues, I have two resolutions today, one for the girls team and one for the boys team. We're going to call them both up at the same time and we'll read them separately.

First, we're going to read the

proclamation for the girls but it should be pointed out that both the girls and the boys teams are champions this year. We've had a lot of teams and I would just like to mention that the girls team did defeat my colleague's alma mater, Councilman Duane Darkins' Westinghouse team. It was a close game, though.

Mr. Onorato presents

No. 2491 WHEREAS, on March 11, 1993, the Perry Traditional Academy Girls' Basketball Team, led by Head Coach Tim Broderick and Assistant Coach Brett Lyle, defeated Westinghouse High School 67-65 to win their third consecutive Class AAA City League Girls' Basketball Championship; and

WHEREAS, team members are Irona Boyd, Tamika Doss, Mara Fairley, Jaime Goodwine, Marin Hightower, Clover Knights, Lateshia Mahaffey, Nicole McNeil, Nina Randolph, Trumane Rogers, Farrah Woods, and Sharima Zyhier; and

WHEREAS, the outstanding season and tremendous ascent to the City League Title for the third consecutive year has maintained a sense of pride and achievement for the players, coaches and student body; and

WHEREAS, the 20-4 overall record and the City League Title is a testament to the countless hours of practice, hard work, and dedication displayed by all members of the team and the coaching staff.

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh hereby recognizes and congratulates the Perry Traditional Academy Girls' Basketball Team, led by Head Coach Tim Broderick, for capturing the Class AAA City League Girls' Basketball Title.

Mr. Onorato moved to adopt the resolution.

Mr. Ferlo seconded the motion.

Which motion prevailed.

Coach Broderick:

I'd like to thank Councilman Onorato and President Wagner. The girls really worked hard for the third consecutive year now. We've won the City Championship and we've advanced into the second rounds of the PIAA. With everyone coming back next year, hopefully we'll take that a step or two further. That's our goal anyway. Thank you very much.

Mr. Onorato presents

No. 2492 WHEREAS, on March 12, 1993, the Perry Traditional Academy Commodores, led by Head Coach Chuck Franklin and Assistant Coaches Jan Rihs and Roger Simmons, defeated the South Orioles 69-40 to capture the Class AAA City League Basketball Title, the Commodores' sixth City League Title in the past eight years; and

WHEREAS, team members are Carlos Benning, Michael Borelli, Wayne Copeland, Mark Craighead, Kevin Faulds, Steve Hale, Fred Harris, Jim Henderson, Darnell Jackson, Michael Jackson, Steve Johnson, Damon Macklin, Lafayette Moran, Orlando Tot, and Damien Williams; and

WHEREAS, the overall success throughout the season can be directly attributed to the determination, dedication, work ethic and outstanding leadership displayed by the team, the coaching staff and Team Managers Eric Harrison and Lester Holmes; and

WHEREAS, the Commodores brought a sense of pride and acclaim to themselves, their

families, the coaching staff, and the entire student body.

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh hereby recognizes and congratulates the Perry Traditional Academy Commodores, led by Head Coach Chuck Franklin, for capturing the Class AAA City League Basketball Title.

Mr. Onorato moved to adopt the resolution.

Mr. Ricciardi seconded the motion.

Which motion prevailed.

Mr. Ferlo:

Which team is better? The girls or the boys?

Coach Franklin:

Well, the girls have had a better record this year, but it's close.

I'd like to thank City Council for this honor, especially for honoring the kids for their dedication and hard work, and the very long hours that I asked of both groups to stay after school. A lot of nights these kids wouldn't get home until 6:00, 7:00, 8:00 at night after reporting to school at 7:00 in the morning. So, from 7:00 in the morning until 8:00 at night it's a lot of hours. I would like to thank you again.

I have one spokesperson from the boys basketball team, our Senior Captain, that's going to say a few words. And then we have to go and get back to school. Thank you again.

Damien Williams:

Hello. First of all, I'd like to thank City Council on behalf of the Perry girls and boys

basketball teams. Also, I'd like to thank City Council for the proclamation being read to us. Thank you.

The Chair:

Thank you all. Congratulations.

Mr. Cohen presented

No. 2466 Resolution amending Resolution No. 1348, approved December 29, 1992, entitled, "Adopting and Approving the 1993 Capital Budget and the 1993 CDBG Program, and approving the 1993 through 1998 Capital Improvement Program," by reducing the CDBG funding allocation and making certain revisions and corrections. ---**(SPONSORED BY MR. COHEN)**

Which was read and referred to the Committee on Finance.

Mr. Ferlo moved to suspend Rule 8 by providing for consideration of the bill only until or after the 8th calendar day following the meeting in which the bill was introduced so the bill will be on the agenda this Wednesday.

Mr. Ricciardi seconded the motion.

Which motion prevailed.

Also,

No. 2467 Resolution providing for the issuance of a \$1,818.08 warrant in favor of Bell of Pennsylvania in settlement of claim for property damage occurring on November 19, 1992 when a City Refuse truck struck a utility pole at Telephone Way and Elmer Street, payable from Code Account No. 46, Judgments.

Also,

No. 2468 Resolution providing for the filing of a petition or petitions for the sale of certain property or properties, acquired at tax sales in accordance with Act No. 171 of 1984, "Second Class City Treasurer Sale and Collection Act", effective December 11, 1984.

Also,

No. 2469 Resolution providing for conveyance by the City of Pittsburgh of certain property, under Act No. 171 of 1984, entitled, "Second Class City Treasurer Sale and Collection Act", effective December 11, 1984.

Also,

No. 2470 Communication from Melanie J. Smith, Director, Department of Personnel and Civil Service Commission requesting approval for John Turyan, Chair, Pittsburgh Private Industry Council (a non-City employee) to travel on various dates from April 25, 1993 to February 27, 1994 to various cities to attend NAPIC meetings, at a cost not to exceed \$6,014.00, payable from the JTPA-1 Trust Fund, Index Code 260307.

Which were severally read and referred to the Committee on Finance.

Mr. Ferlo presented

No. 2471 Resolution providing for the creation of a special trust fund to be known as the "Brereton Street Trust Fund" for the deposit of funds to be used for the repairs to the Brereton Street Retaining Wall. Upon completion of said project, the unexpended funds shall be redeposited in the Department of Engineering and Construction's Unrestricted Cash, 1989 Project Fund and credit Code Account EC 93-210. ---**(SPONSORED BY MR. FERLO)**

Which was read and referred to the Committee on

Planning, Housing and Development.

Also,

No. 2472 Resolution providing for an Agreement or Agreements with the Pittsburgh Founders Celebration Council for operational/administrative expenses; maintenance; purchase of equipment; and/or minor rehabilitation of facilities, at a cost not to exceed \$12,000.00, chargeable to and payable from Code Account 1838, Misc. Services, Department of Parks and Recreation. ---**(SPONSORED BY MR. FERLO)**

Which was read and referred to the Committee on Parks and Recreation.

Mr. Ferlo moved to suspend Rule 8 by providing for consideration of the bills only until or after the 8th calendar day following the meeting in which the bills were introduced so the bills will be on the agenda this Wednesday.

Mr. Ricciardi seconded the motion.

Which motion prevailed.

Michelle Madoff presented

No. 2473 Resolution providing for the issuance of a warrant in favor of Public Strategies, Inc., One Bigelow Square, Suite 616, Pittsburgh, PA 15219, in the amount of \$1,000.00 in payment for professional consulting services rendered to Councilwoman Michelle Madoff for the month of April 1993, chargeable to and payable from Code Account 1001-2, Salaries, Wages and Services of Council, As Needed, (Index Code 100123), City Council, District 2. ---**(SPONSORED BY MICHELLE MADOFF)**

Which was read and referred to the Committee on

Finance.

Mr. O'Connor presented

No. 2474 Resolution authorizing the Mayor and the Director of the Department of Parks and Recreation to enter into an Agreement or Agreements with the Pennsylvania Air National Guard 171st Air Refueling Wing/Civil Engineers in connection with its domestic action program in a capital improvement project in Schenley Park.

Which was read and referred to the Committee on Parks and Recreation.

Mr. O'Connor moved to suspend Rule 8 by providing for consideration of the bill only until or after the 8th calendar day following the meeting in which the bill was introduced so the bill will be on the agenda this Wednesday.

Mr. Cohen seconded the motion.

Which motion prevailed.

Mr. Onorato presented

No. 2475 Resolution providing for an Agreement or Agreements with Consultant or Consultants to provide programming and technical support services for a computerized crime mapping system at a cost not to exceed \$65,000.00, chargeable to and payable from Code Account 1446-1, Investigative Expenses, Bureau of Police, Department of Public Safety.

Also,

No. 2476 Resolution providing for the leasing from Spring Garden Neighborhood Council, Inc. (SGNC), Inc. for a parcel of land and building located at 1013 Chestnut Street, Pgh., PA 15212, in the 23rd Ward of the City of Pgh. for a term of up to three (3) years, beginning

on or about May 1, 1993, at no rental cost to the City.

Which were read and referred to the Committee on Public Safety.

Mr. Onorato moved to suspend Rule 8 by providing for consideration of the bills only until or after the 8th calendar day following the meeting in which the bills were introduced so the bills will be on the agenda this Wednesday.

Mr. O'Connor seconded the motion.

Which motion prevailed.

Also,

No. 2477 Resolution providing for an Agreement or Agreements with the Center For Emergency Medicine of Western Pennsylvania (CEM) to provide Infectious Disease Control services for a period of five years, for years 1993 through 1997, at a cost not to exceed \$75,000.00 in 1993 and \$100,000.00 per year thereafter, subject to annual appropriation, chargeable to and payable from Code Account 1401, Misc. Services, Bureau of Administration, Department of Public Safety.

Which was read and referred to the Committee on Public Safety.

REPORTS OF COMMITTEES

Mr. Cohen presented

Bill No. 2478

Report of the Committee on Finance for April 14, 1993 transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 2211

A Resolution entitled, "Resolution authorizing the Mayor, the Director of Finance and the Director of the Department of Parks and Recreation to grant a license to Columbia Gas of Pennsylvania, Inc. to install, use, maintain and remove a regulator station in a n 8 feet area of property of the City, fronting on South 18th Street, known as Quarry Park, in the 16th Ward, designated as Block 13B, Lot 38."

Which was read.

Also,

Bill No. 2212

A Resolution entitled, "Resolution authorizing the Mayor, the Director of the Department of Finance and the Director of the Department of Parks and Recreation to grant a license to Columbia Gas of Pennsylvania, Inc. to install, use, maintain and remove a regulator station in a 12 feet by 20 feet area of property of the City, fronting on Bon Air Avenue, known as McKinley Park in the 18th Ward, designated as Block 34D, Lot 20."

Which was read.

Also,

Bill No. 2213

A Resolution entitled, "Resolution authorizing the Mayor, the Director of the Department of Finance and the Director of the Department of Parks and Recreation to grant a license to Columbia Gas of Pennsylvania, Inc. to install, use, maintain and remove a regulator station in an 8 feet by 10 feet area of property of the City, fronting on Elsinburg Street, known as McKinley

Park in the 18th Ward, designated as Block 34D, Lot 20."

Which was read.

Also,

Bill No. 2215

A Resolution entitled, "Resolution amending Resolution No. 1186, Item E, effective November 19, 1992, which authorized the sale of five, small, vacant lots to Essie Humphries for the sum of \$1,250.00."

Which was read.

Also,

Bill No. 2216

A Resolution entitled, "Resolution providing for the filing of a petition or petitions for the sale of certain property or properties, acquired at tax sales in accordance with Act No. 171 of 1984, "Second Class City Treasurer Sale and Collection Act", effective December 11, 1984."

Which was read.

Also,

Bill No. 2217

A Resolution entitled, "Resolution providing for the filing of a petition or petitions for the sale of certain property or properties, acquired at tax sales in accordance with Act No. 171 of 1984, "Second Class City Treasurer Sale and Collection Act", effective December 11, 1984."

Which was read.

Also,

Bill No. 2235

A Resolution entitled, "Resolution Repealing Resolution No. 154, Item A, effective February 28, 1990, authorizing the sale of property in the 3rd Ward of the City of Pittsburgh, in accordance with Act No. 171 of 1984."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. Onorato
Mr. Darkins	Mr. Ricciardi
Mr. Ferlo	Mr. Wagner
Mr. O'Connor	(Pres't)

AYES 7 NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Also,

Bill No. 2252

A Resolution entitled, "Resolution providing for the issuance of a warrant in favor of The Hill House Association, 1835 Centre Avenue, Pittsburgh, PA 15219, in the amount of \$400.00 in payment for professional services rendered to Councilman Ferlo for the month of April 1993." ---**(SPONSORED BY MR. FERLO)**

Which was read.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. Onorato
Mr. Darkins	Mr. Ricciardi
Mr. Ferlo	Mr. Wagner
Mr. O'Connor	(Pres't)

AYES 7 NOES none

And there being two-thirds of the votes of Council being in the affirmative, the bill passed finally.

Also,

Bill No. 2451

A Resolution entitled, "Resolution transferring the amount of \$2,000.00 from Code Account 1001-1 (100115), Miscellaneous Services, Supplies, Equipment, Etc., Department of City Council to Code Account 1838 (183806), Miscellaneous Services, Department of Parks and Recreation." ---**(SPONSORED BY MR. WAGNER)**

Which was read.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. Onorato
Mr. Darkins	Mr. Ricciardi
Mr. Ferlo	Mr. Wagner
Mr. O'Connor	(Pres't)

AYES 7 NOES none

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Mr. Ferlo presented

Bill No. 2479

Report of the Committee on Committee on Planning, Housing and Development for April 14, 1993 transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 2219

A Resolution entitled, "Resolution authorizing the submission of an application to the Department of Community Affairs for Emergency Shelter Grants program for fiscal year 1993."

Which was read.

Also,

Bill No. 2220

A Resolution entitled, "Resolution amending

Resolution No. 228, effective March 19, 1993 entitled 'Providing for the filing of a Community Development statement by the City of Pittsburgh with the U.S. Department of Housing and Urban Development for a grant in connection with the 1993 Community Development Block Grant Program' so as to add 'Index numbers to all of the Community Development Block Grant Program line items.'

Which was read.

Also,

Bill No. 2221

A Resolution entitled, "Resolution providing for an Agreement or Agreements or Contract or Contracts, or use of existing Agreements or Contracts, with a Consultant or Consultants, or Vendor or Vendors, for the purpose of conducting planning and management studies, and related activities in support of such studies including the purchase of data and data analysis equipment and training in the use of such data and equipment, at a cost not to exceed \$273,599.67."

Which was read.

Also,

Bill No. 2222

A Resolution entitled, "Resolution providing for an Agreement or Agreements with Pittsburgh Partnership for operating and/or administrative expenses of their agency involved in a variety of community/economic development activities, at a cost not to exceed \$420,000.00."

Which was read.

Also,

Bill No. 2223

A Resolution entitled, "Resolution providing for an Agreement or Agreements with Community Based Organizations for community and economic development planning assistance in various neighborhoods in the City and providing operating support for these groups in an amount not to exceed \$600,000.00."

Which was read.

Mr. Onorato:

I'd like my comments brought forward on Bill No. 2223.

(REMARKS ON FOLLOWING PAGE)

(BEGINNING - MR. ONORATO'S COMMENTS ON BILL NO. 2223, WEDNESDAY, APRIL 14, 1993)

Mr. Onorato:

Director, every year this comes up and this is only my second year in discussing it. I'm a little confused with the reason we have that. Why do we create a board where we allocate the money and they pick where the money goes to? The reason I ask that question is, we are getting money and we are the elected officials and the Mayor is the elected official and we're the ones held accountable and once we give it to ACBO, do we pick ACBO members? Do we have any input to the board?

Dir. Downing:

No, you don't confirm them.

The Chair:

How are they chosen?

Dir. Downing:

It's divided by sectors. There are so many public sector representatives and so many based organizations.

The Chair:

Who chooses them?

Dir. Downing:

There's a nominating committee that is composed of current ACBO members. At various times City Councilmembers have been members of the ACBO Board.

Mr. Onorato:

I will wait until Tuesday but if you can explain and send a memo describing how the board is selected because I have a real concern with we just give a blank check of \$600,000.00 to this board but we have no control over any of the members and we're the ones that have to go back every four years in front of the voters. So I would like to know that. I mean, I have no problem with sitting here and being accountable for allocating the \$600,000.00 with my colleagues.

(END OF COMMENTS)

PREPARED BY: MARY ANNE HRUSKA
STENOTYPE REPORTER

Also,

Bill No. 2224

A Resolution entitled, "Resolution providing for an Agreement(s) and Contract(s) with Consultant(s) and Vendor(s) to assist the City in improving its Citizen Participation Process and providing for the payment of the cost thereof at a cost not to exceed \$60,000.00."

Which was read.

Also,

Bill No. 2225

A Resolution entitled, "Resolution providing for an Agreement or Agreements with a Consultant or Consultants for the purpose of providing architectural and design services, consumer surveys and market studies, promotional activities, commercial revitalization planning assistance, and business district management in various neighborhood business districts as part of the City's Neighborhood Business District Revitalization Program at a cost not to exceed \$100,000.00."

Which was read.

Also,

Bill No. 2226

A Resolution entitled, "Resolution authorizing the Urban Redevelopment Authority of Pittsburgh to file a 1993 Enterprise Zone application with the Pennsylvania Department of Community Affairs for the North Side Enterprise Zone."

Which was read.

Also,

Bill No. 2227

A Resolution entitled, "Resolution authorizing the Urban Redevelopment Authority of Pittsburgh to file a 1993 Enterprise Zone application with the Pennsylvania Department of Community Affairs for the East Liberty Enterprise Zone."

Which was read.

Also,

Bill No. 2228

A Resolution entitled, "Resolution authorizing the Urban Redevelopment Authority of Pittsburgh to file a 1993 Enterprise Zone application with the Pennsylvania Department of Community Affairs for the Lawrenceville Enterprise Zone."

Which was read.

Mr. Ricciardi:

On Bills 2226, 2227 and 2228, obviously I support the filing for the Enterprise Zones in the North Side, East Liberty and Lawrenceville.

There is much that has been written concerning Enterprise Zones and much criticism of Enterprise Zones. Some people believe that all you're really doing is shifting resources from one part of the City or one part of the region to another. I disagree with a lot of that writing and I just want to say that we have to continue to be aggressive in filing for Enterprise Zones. There should be a few more filed in this City of Pittsburgh.

I have asked for a meeting with Director Birru and when I find out when that meeting is concerning the process we should take, I'd like to

put out a memorandum to all of my colleagues and maybe I could call a post agenda on that after speaking to the Chairs of those particular committees.

The Chair:

I'd like my comments brought forward on the three bills regarding the Enterprise Zones.

(REMARKS ON FOLLOWING PAGES)

(MR. WAGNER'S COMMENTS ON BILLS NO. 2226, 2227 & 2228)
(Wednesday, April 14, 1993)

Mr. Wagner:

Discussion. Who is here to speak about this?

Mr. Ferlo:

Director Birru is.

Mr. Wagner:

Director, how much money are we receiving for these enterprise zones presently on an annual basis?

Mr. Birru:

About 110,000.

Mr. Wagner:

Per enterprise zone?

Mr. Birru:

Per enterprise zone, yes.

Mr. Wagner:

What is the potential of having additional enterprise zones and obviously benefiting from some state dollars in the process?

Mr. Birru:

We cannot say occasionally when that opportunity opens. We applied last year; that was rejected by the state. They have been very reluctant in terms of increasing the number of enterprise zones in the state, but we continue to apply with some neighborhoods who are making some attempts to expand existing enterprise zones to cover more areas. But the state has been very hesitant in terms of increasing the number of enterprise zones.

Mr. Wagner:

What other areas of the city have requested to be part of the enterprise zone?

Mr. Birru:

Hazelwood, Lincoln/Larimer area, Homewood.

Mr. Wagner:

Has West End?

Mr. Birru:

No, we have not been asked by the West End groups.

Mr. Wagner:

How about Haze?

Mr. Birru:

No.

Mr. Wagner:

The basic concept behind enterprise zones are previous industrial areas that have declined and injecting some dollars, attention and local partnerships to get them moving again; correct?

Mr. Birru:

That is correct.

Mr. Wagner:

How many enterprise zones do we have in the entire Commonwealth of Pennsylvania?

Mr. Birru:

I don't have that number. In Pittsburgh we have three, two of them were established in 1983, one of them, Lawrenceville, was established in 1988. So it is not that we are not making attempts to have some more, but it is the reluctance of the state to grant us more enterprise zones.

Mr. Wagner:

In your opinion, to what degree have they been beneficial for the three zones that are in existence?

Mr. Birru:

I think the North Side groups, East Liberty and Lawrenceville have contributed with these funds in terms of bringing in new industries, creating some jobs within their communities. I wouldn't say that the enterprise zone funding by itself is the only condition to improve the communities of our

city. In fact, I don't think it is adequate enough to really bring in companies or retain some companies in the Pittsburgh area. Hopefully, when the Federal Enterprise Zone Program comes, that will be a good complement to what we are doing and we have to come with some programs, and we do that with the URA programs to complement or supplement some of the enterprise zone advantages for relocating companies or companies that want to expand in the areas.

Mr. Wagner:

What kind of tax incentives are available for companies in those zones?

Mr. Birru:

Well, that is the main advantage, the tax advantage from the state, and they have better access for some of the funding and Department of Commerce funding. It gives them more eligibility in terms of receiving some of the state funding. There aren't very many programs that would make the enterprise zones too attractive for companies to relocate, say, from outside Pittsburgh into Pittsburgh.

Mr. Wagner:

In other words, due to the equity and the tax structure, significant advantages cannot be given simply because a company locates in an enterprise zone?

Mr. Birru:

That is correct.

Mr. Wagner:

Why, then, if they are successful, the resistance to expand or increase in numbers, particularly in some hard hit areas?

Mr. Birru:

Well, for some reason they want to limit the number of enterprise zones within the state, because they want to limit that 110,000 or so money they give to each individual enterprise zone area. So I would imagine that is the main cause for reluctance in terms of the number.

Mr. Wagner:

Does that relate directly to funding available for the enterprise zones?

Mr. Birru:

I would imagine so, yes.

Mr. Wagner:

How much total funding do we have available?

Mr. Birru:

In the state?

Mr. Wagner:

Yes.

Mr. Birru:

I don't have that number, but I can get it for you.

Mr. Wagner:

Do we have other enterprise zones in the region? Are we properly benefitting from the enterprise zone program, not just in the City of Pittsburgh, but also in the region, particularly the valley areas? Now, you can provide me that information, I know that is really not part of the bill, but I see some areas of the city that have talked about wanting to be part of this program, and some that had not talked about it that appear to me as if they would be ideally suited for it. The Haze area, for instance, in Councilman O'Connor's district, and I know he has worked hard in that area, is an old industrial area that has been hit very hard, and we are trying to do some things in there, in that neighborhood, with the Film Industry, to re-utilize an old factory complex. It seems as if that neighborhood would be ideal. The Homewood/Brushton area that has had some industrial companies, Mine Safety Appliance and others in the past, would also be an ideal location for an enterprise zone.

Mr. Birru:

Yes, I think you are correct, but basically I think the successes we are seeing in Pittsburgh are through the fundings of community development corporations, more than the enterprise zone funding. If we did not complement this funding with the citizens' fundings like Director Downing was talking about this morning and with a number of creative loan programs at the URA, I don't think any of the accomplishments would have gotten into Washington's Landing, or PTC, or the bakery or any one of them would really have happened. So by themselves, I don't think the enterprise zones are very attractive to bringing industries into

our area.

Mr. Wagner:

I would partially agree with you, but the more programs you have going for you, the more sources of funding, obviously, the greater likelihood of success.

Mr. Birru:

Right. Believe me, we go for every funding.

Mr. Wagner:

So my final question to you is how can we more aggressively pursue additional enterprise zones in the future?

Mr. Birru:

My response is we are extremely aggressive every time we apply for new fundings. We are going to pursue it again with Hazelwood, we are going to pursue again with the expansion of the East Liberty into parts of Lincoln/Larimer area, so we are doing those kind of things. But simultaneously, also there is one more point. We can apply for competitive grants for enterprise zone areas. That has been hard to (inaudible) up to 500,000 for a funding for a specific project. But you are right, the more we apply, there would be more opportunities for funding. We are very aggressive in terms of getting every piece of that that can come to Pittsburgh.

Mr. Wagner:

What else can Council do? I know we have certainly talked about it a lot individually and collectively.

Mr. Birru:

I think like you always do, is to give us ideas in terms of what the needs are in the communities, what the expansion needs are, where new zones have to be created will help in terms of putting the applications together, and give it a try.

Mr. Wagner:

Could you tell us specifically what areas of the city would fall under this program that are not part of the program?

Mr. Birru:

Hazelwood definitely; I think parts of the Homewood Lincoln/Larimer area could qualify; parts of West End could

qualify; Haze is a very limited area, but we are working with the community right now. We are applying a huge Haze grant from the federal government. We have put in about -- in excess of 100,000 in terms of studies for a film studio, that was done directly from our office. I would say probably West End, Hazelwood and so on would qualify for these areas.

Mr. Wagner:

Thank you, Director, for your input.

(END OF REMARKS)

(Transcribed by: Helen L. Kriebel, Stenotype Reporter)

Also,

Bill No. 2229

A Resolution entitled, "Resolution authorizing the submission of an application for federal assistance, a program description and certain certifications and the execution of a Grant Agreement with the U.S. Department of Housing and Urban Development for a grant in the amount of \$2,891,000 under the Home Investment Partnerships Program for fiscal year 1993."

Which was read.

Also,

Bill No. 2230

A Resolution entitled, "Resolution authorizing a Cooperation Agreement with the Urban Redevelopment Authority of Pittsburgh designating URA as the City's agent for implementation of the Federal Home Investment Partnerships Program, providing for the disbursement of funds directly to URA and compliance by URA with Federal Home Program requirements."

Which was read.

Also,

Bill No. 2231

A Resolution entitled, "Resolution authorizing the Urban Redevelopment Authority of Pittsburgh to acquire all of the City's right, title and interest, if any, in and to publicly-owned property in the City of Pittsburgh, under the Industrial Land Reserve Fund."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. Onorato
Mr. Darkins	Mr. Ricciardi
Mr. Ferlo	Mr. Wagner
Mr. O'Connor	(Pres't)

AYES 7

NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Mr. O'Connor presented

Bill No. 2480

Report of the Committee on Parks and Recreation for April 14, 1993 transmitting one resolution to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 2452

A Resolution entitled, "Resolution providing for an Agreement or Agreements with the Federation of War Veteran Societies, for professional services for the benefit of the residents of the City of Pittsburgh, at a cost not to exceed \$2,000.00 chargeable to and payable from Code Account 1838 (183806), Miscellaneous Services, Department of Parks and Recreation."

—(SPONSORED BY MR. WAGNER)

Which was read.

The Chair:

I'd like my comments brought forward on that bill and the companion bill, 2451.

(REMARKS ON FOLLOWING PAGE)

(BEGINNING - MR. WAGNER'S COMMENTS ON BILLS NO. 2451 AND 2452,
WEDNESDAY, APRIL 14, 1993)

Mr. Wagner:

Members of Council, if you recall at budget time we put a line item within the City Clerk's Office for consulting services to City Council. In the process of doing that, I personally did not think that we needed to allocate monies for organizations that provided a city-wide service. However, after going through the budget process and having historically in the city a very fine organization of the Federation of War Veterans Society that has sponsored the Veterans Day Parade for decades in this city not being properly funded as they have been in the past, I felt that there was a need for us to do something out of the ordinary. The Federation of War Veterans Society did receive a minute sum in the budget. That sum was \$1800.00 and to put on the Veterans Day Parade it cost them approximately \$6500.00 if I'm not mistaken as part of that \$6500.00 is the parade fee.

I know Councilman Ferlo has another bill on the agenda today excluding this organization from the fee structure for that particular parade. These two bills are separate from that. What these two bills are really doing is trying to increase that sum of \$1800.00 to \$3800.00 so that this organization whether or not that bill passes which I suspect it will, giving this organization a legitimate sum of money to put on one of the finest parades annually in the City of Pittsburgh. Really the only city-wide or regional parade that relates to the Veterans Day in the city. It would be a disgrace if this city turn its back on this organization. Therefore, I'm asking all of you and the amount of money which I believe the total was \$27,000.00 that we identified in our budget for consulting services to City Council for city-wide programs, that we take a minute sum of that \$27,000.00 and allocate it to the Veterans Day Parade. I believe it's well spent, I believe it provides a service to this entire community and it's certainly something we will be proud of.

If I can finally say I thank everyone for being here, I believe you're here more for Councilman Ferlo's bill but being a Vietnam Veteran and marching in that parade every year it means a whole lot to me also.

(END OF COMMENTS)

PREPARED BY: MARY ANNE HRUSKA
STENOTYPE REPORTER

The Chair:

Is there any further discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. Onorato
Mr. Darkins	Mr. Ricciardi
Mr. Ferlo	Mr. Wagner
Mr. O'Connor	(Pres't)

AYES 7 NOES none

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Mr. Onorato presented

Bill No. 2481

Report of the Committee on Public Safety for April 14, 1993 transmitting one ordinance to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 2232

An Ordinance entitled, "An Ordinance amending the Pittsburgh Code, Title Six, Conduct, Chapter 603, Parades and Crowds, Section 603.03(c) Permit Fee, by excluding veterans' organizations." **—(SPONSORED BY MR. FERLO)**

Which was read.

Mr. Ferlo:

I'd like to make a motion to recommit this bill, 2232. The Solicitor is raising some issues legally and I'd like to resolve them so we don't get into a veto situation. I think we all agree that basically we want to create an environment where there is not the financial hardship or obligation on these groups doing these two events each year and rather than get into a hassle with the Administration I'd like to recommit it and try to work out the details.

Mr. Onorato seconded the motion.

WHICH MOTION PREVAILED.

Mr. Ricciardi presented

Bill No. 2482

Report of the Committee on Engineering and Construction for April 14, 1993 transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 2064

A Resolution entitled, "Resolution amending Resolution No. 915, effective August 30, 1990 entitled 'Providing for a Contract or Contracts for the Reconstruction of Arlington Avenue from East Carson Street to Warrington Avenue, Phase III, including work on private property and other work incidental thereto; providing for a Reimbursement Agreement with the Port Authority of Allegheny County; and providing for the payment of the cost thereof,' by amending Section 5 (the deposit of reimbursements)."

Which was read.

Also,

Bill No. 2065

A Resolution entitled, "Resolution amending Resolution No. 821, effective August 22, 1991, entitled 'Providing for a Contract or Contracts for the Replacement of the Shadeland Avenue Bridge; providing for a Reimbursement Agreement or Agreements with the Commonwealth of Pennsylvania, Department of Transportation; and providing for the payment of the cost thereof,' by amending Section 3 (the deposit of reimbursements)."

Which was read.

Also,

Bill No. 2066

A Resolution entitled, "Resolution amending Resolution No. 50, effective February 3, 1987, entitled 'Providing for a Cooperation Agreement or Agreements with THE CARNEGIE, for design and construction of the Relocation of North Shore Drive through a portion of Stadium Parking Lot #1, and the demolition and removal of an existing section of said Drive; providing for a Reimbursement Agreement or Agreements with the Commonwealth of Pennsylvania, and/or the Department of Transportation; and providing for the payment of the cost thereof,' by amending Section 3 (the deposit of reimbursements)."

Which was read.

Also,

Bill No. 2067

A Resolution entitled, "Resolution amending Resolution No. 576, effective July 29, 1983, as

amended by Resolution No. 91, effective February 15, 1985, entitled 'Providing for a Contract or Contracts for the Reconstruction of the Bloomfield Bridge, Phase IV, including the intersections of Bigelow Boulevard and Library Avenue, work on private property and other work incidental thereto; providing for a Reimbursement Agreement or Agreements with the Commonwealth of Pennsylvania, Department of Transportation; and providing for the payment of the cost thereof,' by amending Section 5 (the deposit of reimbursements)."

Which was read.

Also,

Bill No. 2068

A Resolution entitled, "Resolution amending Resolution No. 597, effective July 9, 1985, as amended by Resolution No. 1054, effective December 22, 1987, entitled 'Providing for a Contract or Contracts for the Rehabilitation of the E.H. Swindell Bridge, including necessary work on private property and other work incidental thereto; providing for a Reimbursement Agreement or Agreements with the Commonwealth of Pennsylvania, Department of Transportation; and providing for the payment of the cost thereof,' by amending Section 5 (the deposit of reimbursements)."

Which was read.

Also,

Bill No. 2184

A Resolution entitled, "Resolution authorizing and directing the construction of an extension of one thousand three hundred fifty feet of public sanitary sewers on Sylvan Avenue, Noah Way and Tasso Street in the 15th Ward, including all other work necessary in connection therewith;

letting a contract or contracts therefore, and providing that the costs, damages and expenses of the same be assessed against and collected from property specially benefited thereby."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. Onorato
Mr. Darkins	Mr. Ricciardi
Mr. Ferlo	Mr. Wagner
Mr. O'Connor	(Pres't)

AYES 7 NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

MOTIONS AND RESOLUTIONS

Mr. Ferlo:

Very briefly, there is a post agenda meeting following this meeting regarding the Highland Park Reservoir covering issue with representatives of the Water Department, the Budget Office, City Planning, and others who have been invited from the Highland Park community. And I would ask if it's possible for a few members to stay and participate, especially those, Mr. Ricciardi, I know has time, he's on the Water and Sewer Authority Board, and it would

be very helpful to discussion. I don't think it will take a long time but we need to get back into the loop on exactly what planning is going on, or what lack of planning is going on, relative to a very important issue affecting the whole City.

Two other very brief things. I would ask that the Clerk assist my office in setting up a meeting with Director Turner regarding the PAGIS System which I believe either comes back out on the agenda this week or next week. We need to resolve this under Old Business, I should have raised it, but we should resolve the issue of the terminal being installed here in Council's office. And if you could let other Councilmembers know when this meeting will take place.

Lastly and briefly, in the five years that I've been in Council I think on only one other occasion I've ever called a Director regarding an employee matter. My basic philosophy, both at the Housing Authority as a Boardmember and in City government is not to involve myself in employee stuff when it involves reprimands or disciplinary action on the part of the management. I don't think that's something that Councilmembers should be involved in.

However, once in a while something does come up and it doesn't seem fair and I want to raise this issue and ask that we get a report from Director Walluk who, as you know, good, bad or indifferent, was not here during the blizzard recently. However, there were two individuals, one individual has 17 years of service and another individual has 18 years of service. My understanding is from this report that I have before me, neither one of these employees in heavy equipment operation has ever been written up or received a disciplinary action report.

But in this instance, having left work at the end of the day, probably 3:00 or 3:30 Friday during the so-called blizzard of '93, they left work

with no one indicating that there was a state of emergency. And if you remember, the Mayor herself never actually declared an emergency. It's my understanding is that the workers were not told that they had to stay around on the weekend. There were not specific communiques to these employees on what they have to do over the weekend. They, being employees free to do what they want once they left work.

These two individuals, one happened to go up to their farm in Butler. Another I think left town or was around but was not able to physically get in.

Basically, they were called in, even though one wasn't physically in the City, could not make it back to the City, had already left the City for that weekend, and they were written up and they received a suspension of one day, as well as losing a half a personal day.

I don't want to mention names but they involve Public Works and the action of Director Walluk.

I would only ask that this issue be reviewed and that a report be communicated to Council regarding the validity of these actions. I personally don't think it's fair. I think had these individuals been informed that there was a state of emergency and prior to their departure would have been told that some arrangement would have to be made over the weekend regarding a call back, I could see some action. But once somebody has left the workforce without being told about any state of emergency, I just don't think it's fair. Especially two employees that seem to have, at least on the surface, a good work record. Over 36 years, the two of them combined.

So, I'll follow this up with the Clerk and ask that Director Walluk respond. I've discussed this with Councilman Darkins, Chair of Public

Works, and he's very concerned about it. And I know with his pursuit we will try to get a better understanding from Director Walluk as to whether or not these actions were indeed justified.

Mr. Darkins:

I must say that this was just brought to my attention about ten minutes ago. I was not aware of this when it happened within our own Department of Public Works. I've gone to bat for City employees in other departments, the Water Department and other departments in regards to things like this. I know there's policy that we are to follow and I'd be more than glad with Councilman Ferlo or any of the rest of my colleagues on Council to sit and talk with Jim Turner and Director Walluk and see if we can resolve this matter.

In the crisis that we are now serving within this City of Pittsburgh and the employment situation and the devastation of people not having jobs and being docked just does not sit right with me at this point. And I hope that the President of Council will also join us because, as you know, that's one of the things that's one the agenda, the employment situation. And here is our tax dollars, all of our tax dollars, and I think that there should be some attention given to this action.

The Chair:

Since my name was mentioned, let me make it perfectly clear that I don't think personnel matters should be openly discussed in this Chamber. If we want to look into it, that's fine. But if we're going to start bringing up personnel matters and taking sides on individual situations, there are 4,700 employees in this City and that really isn't the rule or the mandate of Council. I think that we should make sure that everyone is treated fair, but let's do it in a delicate way.

Mr. Ferlo:

I agree with you and, if you will note, I did preface my comments with saying that I've never brought up employee matters. I think in my five years in office I've only on one instance called the Director on an employee matter where I thought it was unfair.

In this instance, the Director himself wasn't even in town. So, he's first person that should be suspended in relation to his work habits.

Mr. O'Connor:

On a different subject but it pertains to jobs. I would like to make a motion that the Clerk, Mike Perry, draft and send a letter on our behalf to Senator Specter concerning the President's economic package. I think it's crucial that he reconsider his position. It means millions of dollars to the County and the City, especially the part, and I've been involved with looking at the part, it will create at least 2,000 more jobs for summer youth. And the longer this is delayed, it's just holding not only the young people at bay, not knowing if they'll have a job, but it curtails to planning of what they're going to do this summer.

I think all the police and all the educational things we talk about, there's nothing better we can do than to give a kid a job and to give him a well-meaning, well-paying job that will put him in the right direction. And these jobs are intended to pay \$5.50 an hour, anywhere from 30 to 40 hours. That means a young person can make \$150 to \$200 a week all summer. That will certainly keep him off the street, keep him busy, and I think put him in the right direction for maybe possibly the rest of his life.

I read in yesterday's Wall Street Journal that the Republicans are very shocked that there

hasn't been more pressure coming from the cities. Therefore, I move that we support him as a group and possibly anybody watching can call Senator Specter's Office at 644-3400 and let's urge him to support our President and get the financial support that the City has desperately needed for the last few years.

Mr. Ferlo seconded the motion.

Mr. Cohen:

I want to thank Councilman O'Connor for bringing this up. This is a very, very important motion that he just made. I went out to see the President on Saturday and I know some others were there too, Councilman Onorato was there.

It was a very, very strong lobbying effort when the President of the United States comes to the City of Pittsburgh, if not the City at least the Airport for the Pittsburgh area, and I'm glad that he brought this up because we need to do this. Senator Specter's stand right now is untenable. It's a stand against the cities of this Commonwealth, especially the City of Pittsburgh, and I totally agree with what Councilman O'Connor said. This package is a job creation package, but it's also a package for police and Councilman O'Connor really took the lead last November.

Mr. Ferlo:

Mr. President, unlike many other actions the Democrats in the Congress and/or the President, of which we haven't unfortunately had one for a long time, many of the programs have been targeted to Philadelphia and Pittsburgh. But if you look and analyze the package that's being presented, it's much more bi-partisan in nature and it's much more a package that will assist smaller townships, boroughs, municipalities across the Commonwealth. And I would also obviously that Senator Specter reassess his

position.

What could be worse? We've already been through 12 years of one economic strategy that has greatly bloated the federal deficit, hasn't turned around the economy, and hasn't provided opportunities. And I say let's give the Clinton plan a chance to proceed.

As far as I'm concerned, we have everything to gain and nothing to lose by backing up an alternative economic strategy that in the end greatly impacts and attempts to reduce the outstanding federal deficit while restoring some of the revenues that were lost under Regan-Bush years. It's one thing to increase the military spending and billions of dollars raid the Federal Treasury by removing a lot of taxes for the most wealthy in our society, and then be stuck with a bloated deficit. This is an alternative plan that restores and enhances revenues, allocates dollars, not solely to programs that are make work programs. And what's so bad about make work programs if we're employing people and providing them with an opportunity? But the package is much more than just a summer youth program and I would ask that the good Senator obviously reassess his position and wake up. This is something that's going to help a lot of communities across the Commonwealth.

Mr. Onorato:

I would like to add to the request, Councilman O'Connor, and remind Senator Specter that he won Allegheny County in a very close senatorial race. And that took a lot of Democratic votes to put him over in this County.

I know that Commissioner Foerster and Commissioner Flaherty are already pressuring him to support his package.

I would also like to send a letter to Commissioner Dunn who is a Republican in this

County, in a County that supported a Republican Senator. Now we want his help in return. We put him in Washington and I think it's only fair that we ask that he help this County, that the Commissioners are asking for help and the Mayor of the largest City in this County is asking for that help. And the Senator better listen because this County is the one that put him there and this County is the one that can put him out very easily.

The Chair:

Councilman O'Connor, this is in the form of a motion, correct? Would you mind if we also included the Congressional Delegation because there are some people sitting on the fence in the Congressional Delegation also?

Mr. O'Connor:

Very good.

WHICH MOTION PREVAILED.

Mr. Onorato:

My first issue, some of you may recall last week, April 12th, on a Monday, there was a fatal accident on East Ohio Street, which is Route 28. It's a State maintained highway. For people that are not familiar with 28, it's a small stretch of residential area that really is bordered on both ends by a major highway that PennDOT developed over the last 30 years tying in the East Street Valley, now the Veterans Bridge with an off-ramp that goes right to East Ohio Street. The problem is, PennDOT never finished that little strip, that mile or mile in a half where there are residents that I represent.

Back in July of 1992, last summer, I met with State officials. Henry Nutbrown, the District Director of PennDOT was at the meeting. So was Mr. Reginella from the City. We talked about

what can the City and the State do to help these individuals. There were a lot of options mentioned, everywhere from buying all the homes and putting in a new highway to immediate solutions of signals.

Well, the City has been doing their share and we can only do so much with signage and lighting. We need a major renovation to take place on East Ohio Street. And if it means moving individuals and preserving the St. Nicholas Church down there, whatever it takes.

We have Mrs. Stevens who was killed in the accident who was from the Stevens Funeral Home on the North Side. This is a tragedy because everyone knows the problem. It's been there for years. We addressed it a year ago with the officials from North Side at a meeting at St. Stephen's Church.

What I would like to ask Mike to do, Mike, could you help set up a meeting with Henry Nutbrown from PennDOT, Alex Sciulli, in this Chambers, hopefully within the month. We have to know what the time frame is and what is this 12 year plan that PennDOT puts out every year in updates? I've been told that the East Ohio Street Project has been moved up to the first four years of the 12 year plan but that's just a lot of words. I need commitments.

We have to tell these individuals because they literally take their lives in their hands every day walking out of those homes on East Ohio Street. And I think it's time that we get that commitment in writing and tell these people down on East Ohio Street that you're not going to be forgotten anymore. You took the brunt of a major highway, of government dollars, and yet we ignore that stretch of 20 homes. And I would hope that we could have that meeting within a month.

On a different issue. I've been going

around my neighborhood at the request of some business districts in the last two weeks and it's probably because the weather is getting warmer. But there's no doubt in my mind now that what we need in the business districts are these beat officers. I'm glad to see that the Administration is moving forward at a fast pace and we graduated another class yesterday. That's our second or third class of new officers coming off of veteran officers and new recruits that are in the academy.

However, my concern is that this is going to take all summer to bring on the 250. And we probably won't have them all until the Fall of '93, being optimistic. I think it's very important that we continue the program that the Administration started by paying overtime for a lot of areas, not just the hotspots but areas that I've been to this week on California Avenue, Brighton and Benton, Perrysville Avenue Business District. And I know my district is just a duplicate of all the other districts here. I'm not different than anyone else and there's business districts in all of our districts. I'm sure Murray Avenue needs officers, Lawrenceville needs officers, South Side needs officers.

I saw a segment on TV that actually said that we're having a hard time getting individuals to volunteer for overtime for beat patrols in certain areas. Well, I don't think it should be volunteer. These individuals are paid by the City. There should be an order, and we should put two officers in certain areas where we need them.

The bottom line is, we need them and until we have the new ones on that we are going to have full time, I suggest that we pay the overtime. We all look at the budget. Move the money out of areas that are not necessity and we can avoid taking the hit at this point because summer is right around the corner and there's no doubt in my mind that these beat officers will make the difference.

We had an officer show up at one particular business district right after a problem and it was amazing the response we received by the business owners and the residents that walk that every day. It's just the visibility factor and I think it will really calm a lot of people's nerves and also bring back confidence in more people which will add to their safety.

So, I'm hoping that somehow we can bring on beat officers soon with the combination of the new hires that just graduated, with overtime pay, until we bring on the 250 by Fall.

The Chair:

Councilman Onorato, I know with this Council you're preaching to the converted.

Mr. Onorato:

Absolutely.

The Chair:

And we can't do this with smoke and mirrors. It has to be done with real people out there on the street and I agree with you. Whatever we can do budgetarily or changes this Council should do. I know yourself and Councilman Ricciardi and I were at a meeting yesterday in Oakland. I think there's a need for more K-9's in this City. Maybe we can increase the incentive for officers to have K-9's. And maybe we could make a change in that immediately.

But I agree with you that we need to do this whether it's through overtime, whatever other mechanism is available, and do it immediately.

Mr. Onorato:

Mr. President, I would even suggest that we could even start looking at Council's budget if

we have to pitch in, but look at every department. If it takes that to bring on the overtime pay until the new officers are on, and until the federal dollars are granted to the City. But we can't wait any longer for the money and for the officers.

Mr. Ferlo:

Again, reiterating, Council by way of resolution a couple weeks ago at my request did ask for an indication from the Administration in writing, specifically I think the memo went to the Budget Office, as to the status of the block grant monies and when and if officers would actually be on the payroll this year relative to the Administration's plans to use block grant monies. It may be that there is a sum of money there even from what we have budgeted because of when and if these actual officers will come on the payroll.

We haven't yet received that information. I asked Kurt Salac yesterday if he received anything and he hasn't. But I think we should get a clear guestimate from the Administration on the block grant monies that Council has already allocated. And if the monies are not going to be drawn down by full-time employees until later on in the year, those are monies that, in effect, we have freed up and are available to pay overtime. Obviously it would have to be limited to CD neighborhoods but many of the neighborhoods that Mr. Onorato talked about are CD eligible. Certainly many of the neighborhoods that I've had a meeting last week with 50 Lawrenceville merchants and the Police Chief, the two Zone Commanders and Director DiNardo, and that was obviously the focus of the meeting also.

So, I would ask again reiterating Council's request to the Administration to please communicate to us as to what those budgetary items are actually going to be.

Mr. Onorato:

Let me add one thing to Councilman Ferlo. That's a good suggestion and I want to hear the response. But I noticed last week too that we looked at another line item, I think it was from Director Downing, that released approximately \$58,000 from prior year CDBG dollars.

Since we already have the official go ahead from HUD that we can use certain dollars for policing, I would like to have that analysis which I asked for last year of what are all the dollars from prior years CDBG's that have not been spent and that are going to be freeing up because the project for some reason is no longer there or no longer viable. Maybe we have some money sitting there from prior year dollars that we could use, currently.

Mr. Ferlo:

If we're going to ask about the CD, we have to specifically ask for the monies that have been encumbered and still out there because what they'll do is just send us back a list saying -- What they do is cop a plea. They basically say if we've already instituted a contract for \$50,000, we've executed it, we've encumbered that \$50,000, and the contract has been dead basically for five or six years, they don't hand out the contracts so the money just sits there.

So, we want to know both pots of money, both the encumbered monies as well as the unencumbered allocations.

The Chair:

Mike and Linda, would you please make sure we get that information this week? Thank you.

Mr. O'Connor:

Half of the neighborhoods are eligible, so even if it went to time and a half officers that would be an increase presence there so I'm sure it should work and I would urge Councilman Onorato's committee to follow up and see how quick we're going to get those policemen on.

The Chair:

Thank you.

Immediately following is a post agenda sponsored by Councilman Ferlo regarding the Highland Park Reservoir.

Mr. Ricciardi:

I'd just like to take this opportunity to invite my colleagues tomorrow to a post agenda immediately following our Committee Session on energizing the traffic signal and the walk, do not walk, lights at 21st and Carson Street.

As Chairperson of the Department of Engineering and Construction, I've worked very closely with the Administration on constructing the signals. They've been constructed and ready to energize dating back to July of 1992. So, I think it's about time we really address the issue of why they're not turned on for the safety of the residents and the visitors of the South Side, but for special safety for the elderly residents in Morris Gardens and Carson Towers at that intersection. Thank you.

Mr. Ferlo moved to approve the Minutes of Tuesday, March 30, 1993.

Mr. Cohen seconded the motion.

Which motion prevailed.

Mr. Ferlo moved to excuse Michelle Madoff for absence from the meeting.

Mr. Cohen seconded the motion.

Which motion prevailed.

And on the motion of **Mr. Onorato**

Council adjourned.

MUNICIPAL RECORD

Proceedings of the Council of the City of Pittsburgh

VOL. CXXVII

Tuesday, April 27, 1993

No. 17

Municipal Record

ONE-HUNDRED TWENTY-SEVENTH COUNCIL

JACK WAGNER President
MICHAEL PERRY City Clerk
LINDA M. JOHNSON-WASLER.... Asst. City Clerk

Pittsburgh, PA
Tuesday, April 27, 1993

PRESENT:

MR. COHEN	MR. O'CONNOR
MR. DARKINS	MR. ONORATO
MR. FERLO	MR. RICCIARDI
MICHELLE MADOFF	MR. WAGNER

(Pres't)

The Meeting was opened by the recitation of the Pledge of Allegiance to the Flag of the United States of America, and a moment of silent prayer for peace throughout the world.

I pledge allegiance to the Flag of the United States of America and to the Republic for which it stands, one Nation, under God, indivisible, with liberty and justice for all.

PRESENTATIONS

Mr. Cohen:

Will the people from the Center for Victims of Violent Crime come up, please?

Mr. Cohen, Mr. Onorato and Mr. Wagner present

No. 2512 WHEREAS, the 20th annual commemoration of Victims' Rights Week is April 24 through May 1, 1993 and the Center for Victims of Violent Crime helps, supports and advocates for such victims; and

WHEREAS, approximately 34 million Americans become crime victims each year, and victims of crime and their loved ones in the City of Pittsburgh often face severe financial, physical and psychological losses; and

WHEREAS, violent crime is increasingly brutal and the aftermath of criminal violence may cause additional losses to victims due to inappropriate treatment by social or governmental institutions; and

WHEREAS, there exist too few services for victims and too little attention to establishing their rights, yet thousands of good citizens are providing needed help to victims of crimes through volunteer activities; and

WHEREAS, many victims and survivors of crime have demonstrated extraordinary

courage and strength as they have sought to help themselves and others, and thus should be supported in their work to ensure a better life for the community.

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh hereby commends and congratulates the Center for Victims of Violent Crimes; and

BE IT FURTHER RESOLVED, that Pittsburgh City Council proclaims the week of April 24 - May 1, 1993 to be "Victims Rights Week" in the City of Pittsburgh.

Mr. Cohen moved to adopt the resolution.

Mr. Onorato seconded the motion.

Which motion prevailed.

Mr. Cohen:

Members of Council, we do this resolution every year but that doesn't take anything away from the fact that this is a terrific organization and particularly this year because of the 20th anniversary, the 20th commemoration of Victims' Rights Week. Especially with the increased crime rate that we have in our City, a group such as the Center for Victims of Violent Crime is really essential. You do a host of services including helping through the legal process, helping victims get compensation, counseling and training and education.

We have with us today several people, the first of which is Nancy Wells who is the Executive Director, the head of this organization. We have Micky Fiedler who is the Volunteer Coordinator, Nardi Obarski who is the Training and Education Specialist, Ursala Schmeidberg who is the Fiscal Manager Assistant, Stephen Segan the Information Systems Coordinator, Howard Swartz the Vice President of the Board,

and last but certainly not least, everybody knows John Zottola who is the head of our Zoning Board and also the Secretary of the Board of Directors. Thank you for coming down, John; I appreciate it. I know that you're very busy..

Nancy, step up here, would you please? Congratulations. Thank you for all the work that you do and I just want to present this to you for all of the great work that the Center for Victims of Violent Crime does. Congratulations.

Ms. Wells:

Simply to express our continuing appreciation for the support that is provided to the center by the City and by people in the City. We know what's happening on our streets and we're attempting to address it from the perspective of the needs of victims. We want to work with the Department of Public Safety of the City and with other people working on the problem from other directions. Thank you for this recognition.

Mr. Cohen:

Thank you very much for all your work.

Now could the folks from the Forging A New Freedom campaign come up, please?

Mr. Cohen presents

No. 2513 WHEREAS, the Forging A New Freedom campaign creates awareness and enhances the participation of persons with disabilities in every day life; and

WHEREAS, Forging A New Freedom strives to improve accessibility, open employment opportunities for qualified individuals with disabilities, and remove attitudinal barriers faced by people with disabilities; and

WHEREAS, Forging A New Freedom, launched in May, 1992, provides an accessibility guide to nearly 600 places in Allegheny County, including restaurants, theaters, parks, businesses and public buildings, and advises area businesses and community organizations on how to meet ADA standards and make their facilities more accessible; and

WHEREAS, Forging A New Freedom has established a Barrier Awareness Day scheduled for May 7, 1993 for the purpose of having influential people from the City assume a disability for a work day thus furthering their understanding of the experience of those with disabilities.

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh commends Forging A New Freedom in its pursuit of promoting awareness about persons with disabilities in our community; and

BE IT FURTHER RESOLVED, that the Pittsburgh City Council proclaims May 7, 1993 as "Barrier Awareness and Forging A New Freedom Day" in the City of Pittsburgh.

Mr. Cohen moved to adopt the resolution.

Mr. Ferlo seconded the motion.

Which motion prevailed.

Mr. Cohen:

This is a fantastic project to make people aware of the need for improved physical accessibility for people with disabilities, but maybe even more important, to make people overcome the mental barriers that people with disabilities face every day. Those attitudinal barriers. That's really what this is all about.

There's a national organization on

disabilities that has a Calling On America campaign, and this is Pittsburgh's local response to that project that I believe is sponsored through the Three Rivers Center For Independent Living.

Among other things they have, as was said in the resolution, a Barrier Awareness Day on May 7th in which people assume a disability for the day to understand the experience.

I'm very honored to have with us today two important people; one is Linda Dickerson whom I think everyone knows is the President and publisher of Executive Report Magazine, and she is also a cabinet member for this Forging A New Freedom project. We also have with us today Tony Sanza who is the President and CEO of Allegheny General Hospital who is a cabinet member of Forging A New Freedom.

So, I certainly can't say anything more articulately than these two people can, so I'd like to present this resolution to you and have each of you say a few words if you would, please. Thank you so much for putting together this campaign and congratulations.

Mr. Sanza:

I'd like to thank all of you for your vision and sensitivity to this important undertaking that Linda really is spearheading. She is a member of the cabinet but she is our spiritual and intellectual leader of the cabinet.

Pittsburgh has been tagged, appropriately so, as the Most Livable City. We want to make sure that it's the most livable for all of its residents and all of the people that work here. And with your help and with the help of the many people who are taking part in our Forging A New Freedom campaign and Barrier Awareness Day, we're sure that we will be the most livable city in the nation. Thank you.

Ms. Dickerson:

Tony gives me entirely too much credit. I need to take this opportunity not only to thank each of you but to thank Allegheny General Hospital for their wonderful support of this effort and to tell you that Pittsburgh has been really the most responsive community around the country and we have indeed established a model for other cities to follow in removing not only physical but attitudinal barriers for persons with disabilities. Thank you.

Michelle Madoff:

Linda and I do the same social circuit. We end up at a lot of the charity events, a lot of the social events, a lot of the arts events, a lot of the cultural events. We almost always bump into each other and it's such a delight to see you out setting an example for everybody.

You say you get too much credit; well, I don't think you get enough and I applaud you. Thank you.

Mr. Darkins:

I would like to echo the comments of Councilwoman Madoff. We were just of yesterday when we saw Linda with the Goodwill Association over to the William Penn.

I must commend you. You are doing a tremendous job. You add to our City and where the downtrodden are, you give them hope and we appreciate that.

Michelle Madoff:

When are you running for City Council? You should be able to handle this. It's the first step, then Governor, Mayor, President, whatever. You could do anything you want to do.

Mr. O'Connor:

We have a proclamation for some of the tenants from Hazelwood Towers and some of the management people.

Mr. O'Connor presents

No. 2514 WHEREAS, Hazelwood Towers, located on the corner of Second Avenue and Tecumseh Street in the heart of Hazelwood community, for the past decade has not only offered to Hazelwood's senior citizens and to people with disabilities in Hazelwood affordable housing through funding from the Federal Department of Housing and Urban Development, but its private owner, Hazelwood Associates, and its manager, Related Management Company, together have structured the facility so as to offer its residents a unique atmosphere of independent living; and

WHEREAS, not only does Hazelwood Towers offer a unique atmosphere to its tenants, but the tenants themselves are unique, their average age being 78, with 26 people in their 80's, and three in their 90's, the majority of whom are originally from the Hazelwood community.

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh commends the residents of Hazelwood Towers as well as its property manager, Sandra Beck, Superintendent, Al Bobnes, and Assistant Superintendent, Dennis Mahan, all for their demonstrated commitment and true dedication to the unique Hazelwood Towers community; and

BE IT FURTHER RESOLVED, that the Council of the City of Pittsburgh recognizes the enhancement that Hazelwood Towers has provided to the quality of life of its residents as they celebrate its 10th anniversary, and does hereby declare that day, April 27, 1993, as

"Hazelwood Towers Day" in the City of Pittsburgh.

Mr. O'Connor moved to adopt the resolution.

Mr. Onorato seconded the motion.

Which motion prevailed.

Mr. O'Connor:

We're very fortunate in Hazelwood. We've really made some turnarounds and this building has been a model for everyone there, I think. And we're finally getting some nice positive publicity, especially the clean up, all over the City. I think everybody did a great job Saturday. North Side, Lawrenville, we really came together there and this community is really coming together. This is the heart and soul of the community.

With us we have Dorothy Miner, Meryl Lane, Barbara Matisz, and Florence Hensen are tenants. And from the Management Company, Sherry Scurfield and Tom Berger, and the Manager who will accept the proclamation is Sandra Beck. Thanks for coming down.

Ms. Beck:

On behalf of the tenants of Hazelwood Towers and the Management Company, Related Management Company, I'd like to thank you.

Mr. O'Connor:

This afternoon we're having a big party, a birthday celebration, with cake and everything from 12:00 to 3:00. So any of the neighbors that want to stop in and visit, we'd sure like to see you.

Mr. Onorato:

I'd like to call up at this time Daidra

Younger, Brenda Younger, Keith Younger, Betty Patterson, Theresa Cwiklik and Rita Adams.

It gives me great pleasure to read this proclamation today because it recognizes one of our youngsters on the North Side that has established and shown the ability to compete against tough competition and to move forward. So, today we will read and explain what she has accomplished so far and I'm sure her future is very, very bright and who knows where it will go.

Mr. Onorato presents

No. 2515 WHEREAS, Daidra Younger, an 8th grade student at St. Peter's School on the North Side entered the Community Excellence Competition, sponsored by Discover Card Services and Scholastic Inc., which offered students in grades 6-12 the opportunity to write an essay that addressed a community problem; and

WHEREAS, the essay addressed five questions: What is the community improvement/project? Why is it needed and who will benefit from it? What are the steps needed to implement the improvement/project? How much money is needed to implement the project, and how would you raise it? What would your role be in this project to get it off the ground, and who would help you implement it?; and

WHEREAS, one winner in each grade was selected in each state to receive a check for \$500 for their essay; and

WHEREAS, with the support of her teacher, Mrs. Theresa Cwiklik, and her principal, Miss Rita Adams, Daidra was selected as the Pennsylvania Grade 8 winner of the contest with her essay entitled, "I, Too, Have A Dream", which describes her plan to build a Community Center in her neighborhood of the North Side;

and

WHEREAS, Daidra will now be considered in the selection of seven national awards - one from each grade - from the state winners, and each national winner will receive a \$5,000 Discover Card Certificate of Deposit that may be used toward future education. In addition to this, her "dream" for the North Side community could become a reality through a \$5,000 grant to implement this program.

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh recognizes and congratulates Daidra Younger for winning the 8th grade competition at the state level enabling her to compete on the national level; and

BE IT FURTHER RESOLVED, that Council commends Daidra Younger for her efforts towards community excellence and showing a positive example of what the youth of this City have to offer.

Mr. Onorato moved to adopt the resolution.

Mr. Ricciardi seconded the motion.

Which motion prevailed.

Mr. Onorato:

Daidra, I want to congratulate you. I know the competition was tough. You should be very proud and I know your parents and grandmother are very proud here today. I'd like you to say just a few words.

Daidra Younger:

I would like to say thank you to Mr. Dan Onorato, my teacher, Mrs. Cwiklik, and my principal, Miss Adams, for all the help they've given me. And to my mother, father,

grandmother, and big sister, Candy, for coming.

Ms. Cwiklik:

I'm very proud of Daidra. It gives us a lot of hope for the future that our youth are really concerned about our community, and we appreciate Daidra sharing her thoughts with all of us.

Ms. Adams:

Contests are fun and they're fun to win. But if it stops at just a piece of paper, then it went nowhere.

Daidra does have a dream and you need to read these ideas that she has. They're very sound, they're very soluble, and they require a little bit of money. She has a problem. She lives on the North Side and she sees what is happening. In the City I have heard this morning two different proclamations about violence in the City. If it can stop, if we can find a way for these children to move on and to have some place to go, then Daidra will not just have a dream that she sleeps on. It will become a reality. Thank you very much.

Mr. Onorato:

I want everyone to know that we passed out a copy of your essay to everyone here and when they have time they can read it.

Michelle Madoff:

Daidra, you're very lucky you have Councilman Onorato on your side and representing your district. He's one of the finest Councilmembers this City has ever seen and you need to work with him. And I say that in all sincerity. I don't need to butter him up; he doesn't live in my district.

But it takes a good woman to come up with great ideas. We didn't plan this, I don't think we've met, I don't know, but you gave me a perfect lead in. Rhetoric is wonderful and we applaud and say, gee, isn't it a great idea. But what are we going to do about it? We are representatives of the public and I did read it. It didn't take very long, five minutes at the most to read through it. Basically what you're saying is what a lot of us are saying. The youth need positive alternatives. We need to open up not only the Catholic schools but the public schools. I've spoken to Barbara Burns who said she will do that.

We need mentoring programs where people in the corporate world and the government world will take on and represent a one on one buddy system with you, take them into the businesses, find where they fit, what kind of work they'd like to do. You never do successfully something you hate. You find your interest and we nurture you along over the years you're in school and there's a hope of a job at the end of it.

And the corporations need to understand that they represent their own employees, their families, their children, and they want them safe in the streets. And all this crime happens because kids don't have positive alternatives or hope or faith that anything is going to happen.

I want to tell you that Reverend Duane Darkins' office, Helen Hull, it seems that two people thought of the same idea at the same time. And we are sponsoring a youth symposium, I don't know just how quickly, hopefully this summer but I'm not just sure when, where you can speak directly to the corporate presidents, you can speak directly to government leaders, and tell them how you feel. And that would be in a very orderly, very well conducted, almost as good as Council. And I hope that you will talk to Reverend Darkins and Helen Hull and get your

name there and be one of the leaders.

I have a young man who is going to be very active with us who, as he would say, I'm deep into the drug scene. And he's going to come and talk about his needs. I know you're not but I think we need all sides represented. And I thank you and let's work together and make it happen.

Mr. Ferlo:

I just want to echo Michelle's concerns. First of all, I do want to thank Daidre for not only the essay but for your vision, and also invite you, unfortunately the Administration has been dragging their feet, and that is on the creation of the Youth Advocacy Commission. But one of the things that this City Council did unanimously, not only in creating a Youth Commission whereby half of the Youth Commission would be individuals like yourself, young people who know first hand what kinds of issues and policies City government should be working on. We also allocated \$150,000 of monies to give the Youth Commission some resources to start developing some of the ideas that you put down on paper here.

So, as a follow up, I'd like to invite you to send a letter to the Mayor asking to be one of the youth people on the Youth Commission, and maybe you can move your dream a little bit further. But I want to thank you and applaud you.

Mr. Ricciardi:

Daidra, I had an opportunity to read your essay and it's very moving. You really pinpoint some alternatives on how we could address the wave of violence in the City.

But for the audience, I would just like to take this moment and read your slogan, if I may. It really stands out. The slogan is, "There's nothing wrong with participating." I think that

says it all. Thank you.

Mr. Darkins:

First of all, Daidra, I would like to say to you and to your parents, your grandmother, and everyone that has come today, to really send you away from City Council illuminated. You've made history here in City Council. Your name is going to be in the archives of records. It will be a part of our Minutes, and when the Minutes come down, the illustrious Dan Onorato will be able to deliver the Minutes to you and you can show it in the coming years that you were presented before City Council.

Also, Mr. President, I would like to make a motion today that this essay become a part of our records.

Mr. Onorato seconded the motion.

Which motion prevailed.

Michelle Madoff:

Can we send this to all the newspapers?
Certainly as a Letter to the Editor at the very least.

(BEGINNING OF ESSAY)

I, TOO, HAVE A DREAM

By Daidra Younger

The problem I see in the Pittsburgh community is the violence coming from the gangs and drugs. The reason why I think I need to help is because if I help to correct the problem, I will benefit from it, just as the teenagers in years to come.

My first approach is to build a community center in my neighborhood of the North Side. It will have a gym, sports activities, sponsor field trips, invite volunteer speakers to lead

discussions which involve the younger generation asking how we feel about the future, what we think we could do for ourselves, and also, programs such as talent show night which can involve everyone.

The Diocese of Pittsburgh is going to be left with alot of abandoned school buildings because of redistricting. These buildings can be converted into Youth Centers at night. During the day, senior citizens can use the building. These centers can involve all faiths. They can pitch in to help make the abandoned school into these centers. If all faiths become involved, then all the senior citizens and children will feel involved enough to make it happen. If the Diocese donates the building, then we can all have fundraisers to raise enough money to remodel instead of building a brand new facility.

One way we could get the money is to have the children and people in the community to get involved with fundraisers such as car washes, bingos, flea markets, spaghetti dinners, etc. The children will do most of the participating. That will show if they really want to have a community center, and at the same time, it will keep the children busy with good projects that will pay off instead of being out on the streets and getting into trouble. We can be a good gang, with good leaders. The senior citizens can help to become our leaders.

I see a building filled with pool tables, a cafeteria, vending machines - we can still be making money - a video room, exercise room, have activity classes, an after school tutor program (senior citizens can help us with our homework), counselors to talk with us when no one else will listen, and guest speakers giving us their point of view. My part in this program is to be there to help promote and pitch in with the work. My slogan is "There's nothing wrong with participating." I would like to be in charge of some of the activities that will be on the Calendar

of Events.

The City of Pittsburgh has houses for sale that need repaired: they are sold for \$1,000.00 or more. If our community can buy one of these houses (if the Diocese doesn't donate a building to help us kids), and fix it up for us, with the fundraisers we can have our dream come true and be kids again instead of dodging bullets and running from gangs.

Daidra Younger
8th Grader
St. Peter Regional School
711 West Commons Street
Pittsburgh, PA 15212

(END OF ESSAY)

The Chair:

Members of Council, ladies and gentlemen, I am honored to present the next resolution designating May 16th through the 21st as A.M.E. Revival Week and I would like to ask those that are here to please step forward to receive this resolution, beginning with Bishop Henry Allen Belin who we're honored to have here today from the Third Episcopal District of the African Methodist Episcopal Church; Reverend Sampson Cooper, the Pastor of the Bethel A.M.E. Church; Kathy Johnson, Trustee, Bethel A.M.E. Church; Reverend Arthur L. Mura, Presiding Elder of the Allegheny-Scranton District; Reverend Charles W. Buckner, Pastor St. Mark A.M.E. Church; Reverend W.S. Hopson, Presiding Elder of the Pittsburgh Conference of the A.M.E. Church; and Reverend Fred Wright. And if I missed anyone, I'm sure, Bishop, you will identify those individuals in a few moments.

We're honored to have all of you here today and I'm honored to present this resolution.

The Chair presents

No. 2516 WHEREAS, on May 16-21, 1993, the Bethel A.M.E. Church on Webster Avenue will host the African Methodist Episcopal Church City-wide Revival Crusade; and

WHEREAS, the revival, under the theme of "Growth Through Spiritual Revewal", will welcome as Evangelist Dr. Frank Reid, III, Pastor of Bethel A.M.E. Church in Baltimore, Maryland and famed Evangelist on Black Entertainment Television; and

WHEREAS, the Pittsburgh Annual Conference of the African Methodist Episcopal Church was established in 1868, joining the Church's great tradition that began when Richard Allen founded the A.M.E. in Philadelphia in 1787 to protest racial discrimination in the Methodist Church; and

WHEREAS, the Annual Conference consists of churches in Western Pennsylvania and throughout the Northeast area of the state, each part of the Third Episcopal District under the leadership of the Reverend Henry Allen Belin, Jr., and boasts a membership of 20,000; and

WHEREAS, the Pittsburgh District is one of two presiding Elder Districts, with twenty-eight churches under the leadership of Presiding Elder W.S. Hopson.

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh does hereby recognize the valuable spiritual service that the African Methodist Episcopal Church provides in protecting the freedom of worship in the African-American community; and

BE IT FURTHER RESOLVED, that the Council of the City of Pittsburgh does hereby

welcome the African Methodist Episcopal Church Revival Crusade, and declares May 16-21, 1993 as "A.M.E. Revival Week" in the City of Pittsburgh.

Mr. Cohen moved to adopt the resolution.

Mr. Ferlo seconded the motion.

Which motion prevailed.

The Chair:

Bishop, we are delighted and honored to have you here today. We are delighted that the Revival is here in the City of Pittsburgh. We're honored to have each and every one of you here and, Bishop, we would like you to please say a few words.

Bishop Belin:

On behalf of the 66 congregations here in the Pittsburgh Conference, I want to say thank you very much for this honor. We are so grateful to you and we certainly invite you to come and be a part of our crusade.

We endeavor to take the Church to the people. We will be canvassing the streets and buildings. Wherever people are, we will be taking the word of God. And we will be taking the word of hope and word of salvation and inviting them, of course, to come in. But we're not going to wait for them to come; we are going where they are and we're going to try to help those persons in Pittsburgh and the outlying areas to know that there is a God that cares and a people that cares for God. Thank you very much.

Reverend Cooper:

Indeed this is an honor. It's always a privilege and a pleasure to appear before City Council. It's a pleasure most especially to come

at this time to add our thanks and appreciation for the support and ask for your support as we share in a Revival Crusade.

Spirituality through growth, and we trust that the impact of this crusade is going to be a living testament of sharing together of building God's kingdom that we might, indeed, have a better world in which to live through serving God by serving humanity. Thank you.

Mr. Darkins:

If this revival is anything like what happened to me on Sunday afternoon as I attended the Trinity Baptist Church and had the Reverend Wright from the A.M.E. Church, he preached and got us all saved. So what a revival this should be.

Bishop, I have not had the opportunity as the President Pro Tem of City Council to officially really welcome you to the City of Pittsburgh. We are so glad because the A.M.E. Church in this town is a great Church. People like that Katie Johnson and some of the others, Reverend Messiah, District Elder Mura, these were gentlemen and people that I have been working with and they have been very conducive and they have shown Christian love. And we're so glad that you're the Presiding Bishop of this jurisdiction.

The Chair presents

No. 2517 WHEREAS, the Urban League of Pittsburgh was founded in 1918 to address the problems of cultural adjustment for Negro migrants who came in record numbers from the rural south to work in Pittsburgh's steel mills and coal mines; and

WHEREAS, the mission of the Urban League is to enable Blacks and other minority group members to cultivate and exercise their full

human potential on a level equal to all other Americans; and

WHEREAS, the Urban League of Pittsburgh, Inc. is celebrating its 75th Anniversary of assisting minorities and the poor deal with the overwhelming problems of finding jobs, educational and training opportunities, decent housing, and quality health services; and

WHEREAS, on April 23-25, 1993, Pittsburgh is hosting the National Urban League, Inc. Eastern Regional Assembly, a collective meeting of Urban League delegates under the theme of "Building On Our Strengths For 21st Century Preparedness"; and

WHEREAS, the Pittsburgh membership will join Dr. Leon Haley, President of the Urban League of Pittsburgh, Inc. in welcoming League affiliates from all over the United States, including the Honorable John E. Jacob, President and Chief Executive Officer of National Urban League, Inc.

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh does hereby congratulate the Urban League of Pittsburgh, Inc. for 75 years of addressing social problems that disproportionately affect the minorities and poor of our community; and

BE IT FURTHER RESOLVED, that the Council of the City of Pittsburgh does hereby welcome the National Urban League Eastern Regional Assembly and commends the Urban League for its dedication to strengthen the Black community and eliminating the scourge of racism from the basic institutions of life.

Mr. Cohen moved to adopt the resolution.

Mr. Ferlo seconded the motion.

Which motion prevailed.

Mr. Darkins presented

No. 2493 Resolution authorizing the Director of the Department of Public Works to grant an encroachment permit to Allegheny Housing Rehabilitation Corporation, 5604 Baum Boulevard, Pittsburgh, Pennsylvania 15206, for the installation of one canopy over a portion of the sidewalk area of Peach Way with an address of 1618-22-24 Bedford Avenue in the 3rd Ward, 6th Council District of the City of Pittsburgh.

Also,

No. 2494 Resolution granting unto the Apostolou Associates, 47 Bailey Avenue, Pittsburgh, PA 15211, their successors and assigns, the privilege and license to construct, maintain and use at their own cost and expense, an existing parking pad on a portion of the right-of-way of Jennie Street in the 19th Ward, 2nd Council District of the City of Pittsburgh.

No. 2495 Resolution granting unto Edwin Miller with an address at 37 Fawn View, McKees Rocks, PA 15136, his successors and assigns, the privilege and license to construct, maintain and use at his own cost and expense, a concrete stoop and steps in the right-of-way of South Twenty-Second Street in the 16th Ward, 3rd Council District of the City of Pittsburgh.

Also,

No. 2496 Resolution granting unto William G. Haines, 151 Pius Street, Pittsburgh, Pennsylvania 15203, his successors and assigns, the privilege and license to construct, maintain and use at his own cost and expense, two (2) wooden porches over a portion of his sidewalk in the right-of-way of Pius Street in the 17th Ward, 3rd Council District of the City of Pittsburgh.

Which were severally read and referred to the Committee on Public Works.

Michelle Madoff presented

No. 2497 Resolution providing for the issuance of a warrant in favor of Government Finance Officers Association, 180 North Michigan Avenue, Chicago, Illinois, 60601, in the amount of \$15,000.00 in payment for professional services rendered to Pittsburgh City Council, chargeable to and payable from Code Account 1001-1 (100115), Miscellaneous Services, Supplies and Equipment, City Council. --(SPONSORED BY MICHELLE MADOFF)

Which was read and referred to the Committee on Finance.

Mr. Ricciardi presented

No. 2498 Resolution providing for a Contract or Contracts, or use of existing Contracts in connection with Miscellaneous Repairs to Various Streets and Structures at a cost not to exceed \$500,000.00, chargeable to and payable from Code Account EC 93-56.

Also,

No. 2499 Resolution providing for a Contract or Contracts, or use of existing Contracts for the Reconstruction of Grant Street/Liberty Avenue-Phase 3, at a cost range of \$5,500,000.00 or more but less than \$9,500,000.00, chargeable to and payable from the Grant Street Trust Fund; providing for a Reimbursement Agreement or Agreements with the Commonwealth of Pennsylvania, Department of Transportation; and providing for the payment of the costs thereof.

Also,

No. 2500 Resolution providing for a Contract or Contracts, or use of existing Contracts, for the Replacement of the South 12th Street Bridge Superstructure, at a cost range of \$400,000.00 or more, but less than \$600,000.00, chargeable to and payable from EC 88-11 - \$370,000.00 and EC 93-62 - \$230,000.00.

Also,

No. 2501 Resolution further amending Res. No. 595, eff. July 9, 1985, as amended by Res. No. 810, eff. Aug. 22, 1991, as amended by Res. No. 987, eff. Oct. 9, 1992, entitled: "Providing for an Agreement or Agreements, or Supplemental Agreement or Agreements, with a Consultant or Consultants, for Professional Engineering Service in connection with the Design of the Rehabilitation of the Schenley Park Bridge over Boundary Street and for Construction Inspection Services for said project; providing for a Reimbursement Agreement or Agreements with the Commonwealth of Pennsylvania, Dept. of Transportation ; and providing for the payment of the cost thereof," by increasing the total project allocation by \$50,000.00 from \$500,000.00 to \$550,000.00, chargeable to and payable from PW 84-17 - \$225,000.00 and EC 90-74 - \$325,000.00.

Also,

No. 2502 Resolution further amending Resolution No. 1049, eff. Jan. 1, 1989, as amended, entitled: "Adopting and approving the 1989 Capital Budget and the 1989 CDBG Program; and approving 1989 through 1994 Capital Improvement Program" by amending the title and Code Account of EC89-02 (Grant/Liberty Phase 3).

Also,

No. 2503 Resolution further amending Resolution No. 1415, eff. Jan. 1, 1991, as

amended, entitled: "Adopting and approving the 1991 Capital Budget and the 1991 CDBG Program; and approving the 1991 through 1996 Capital Improvement Program," by amending the title of EC91-389 (Grant/Liberty - Phase 3) to read "Trust Fund Transfer".

Also,

No. 2504 Resolution further amending Resolution No. 1348, eff. Jan. 1, 1993, entitled: "Adopting and approving the 1993 Capital Budget and the 1993 CDBG Program; and approving the 1993 through 1998 Capital Improvement Program," by creating funding for EC 93-62, (South 12th Street Bridge Replacement) \$130,000.00 to \$230,000.00.

Also,

No. 2505 Resolution adopting Official Sewage Facilities Plan for the Iroquois Project.

Which were severally read and referred to the Committee on Engineering and Construction.

The Chair presented

No. 2506 Communication from Tom Flaherty, City Controller, submitting the Fiscal Audit of the Department of Public Safety, Tow Pound.

Which was read, received and filed.

UNFINISHED BUSINESS

The Chair presents

No. 2465 Resolution appointing Dennis Roth, 1720 Beechwood Boulevard, Pittsburgh, Pennsylvania 15217, as a Member of the Board of Standards and Appeals for a term to expire January, 1996.

Which was read.

Mr. Ferlo moved to approve the appointment.

Mr. Cohen seconded the motion.

The Chair:

Is there any discussion on the motion?

And on the question, "Shall the motion pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. O'Connor
Mr. Darkins	Mr. Onorato
Mr. Ferlo	Mr. Ricciardi
Michelle Madoff	Mr. Wagner
	(Pres't)

AYES 8

NOES none

And a majority of the votes of Council being in the affirmative, the appointment of Dennis Roth was approved.

REPORTS OF COMMITTEES

Mr. Cohen presented

Bill No. 2507

Report of the Committee on Finance for April 21, 1993 transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 2053

A Resolution entitled, "Resolution providing for the transfer of funds in the amount of Eight Thousand Two Hundred Fifty (\$8,250.00) Dollars from Code Account 1132, Equipment, Index Code 113209, Department of General Services to Code Account 1043, Miscellaneous Services, Index Code 104307, Office of the Mayor, Information Systems."

Which was read.

Also,

Bill No. 2214

A Resolution entitled, "Resolution Repealing Resolution No. 180, Item C, effective March 4, 1993, which repealed Resolution No. 1051, Item B, effective October 26, 1992 which authorized the sale of a two and one half story, brick apartment, 11th Ward, designated as Block 83K, Lot 26, located at 5639 Rippey Street, to Mabruk M. Eshnuk, for the sum of \$5,000.00."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. O'Connor
Mr. Darkins	Mr. Onorato
Mr. Ferlo	Mr. Ricciardi
Michelle Madoff	Mr. Wagner
	(Pres't)

AYES 8

NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Also,

Bill No. 2246

A Resolution entitled, "Resolution providing for the issuance of a \$795.00 warrant in favor of Dwight G. Moore in settlement of claim for sidewalk damage."

Which was read.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. O'Connor
Mr. Darkins	Mr. Onorato
Mr. Ferlo	Mr. Ricciardi
Michelle Madoff	Mr. Wagner
	(Pres't)

AYES 8

NOES none

And there being two-thirds of the votes of Council being in the affirmative, the bill passed finally.

Also,

Bill No. 2248

A Resolution entitled, "Resolution amending and supplementing Resolution No. 1346 of 1992, effective January 1, 1993 entitled: 'Making appropriations to pay the expenses of conducting the Public Business of the City of Pittsburgh and for meeting the debt charges thereof for the fiscal year, beginning January 1, 1993,' by making certain additions and corrections."--(SPONSORED BY MR. COHEN)

Which was read.

Also,

Bill No. 2249

A Resolution entitled, "Resolution amending and supplementing Resolution 1347 of 1992, effective January 1, 1993 entitled: 'Resolution fixing the number of officers and employees of the City of Pittsburgh, and the rate of compensation thereof, and setting minimum levels for designated positions,' by making certain additions and corrections."---(SPONSORED BY MR. COHEN)

Which was read.

Also,

Bill No. 2466

A Resolution entitled, "Resolution amending Resolution No. 1348, approved December 29, 1992, entitled, 'Adopting and Approving the 1993 Capital Budget and the 1993 Community Development Block Grant Program, and approving the 1993 through 1998 Capital Improvement Program,' by reducing the CDBG Funding allocation and making certain revisions and corrections."---(SPONSORED BY MR. COHEN)

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. O'Connor
Mr. Darkins	Mr. Onorato
Mr. Ferlo	Mr. Ricciardi
Michelle Madoff	Mr. Wagner
	(Pres't)

AYES 8 NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Mr. Darkins presented

Bill No. 2508

Report of the Committee on Public Works for April 21, 1993 transmitting one resolution to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 2250

A Resolution entitled, "Resolution authorizing the Director of the Department of Public Works to provide a lease agreement with Consolidated Rail Corporation granting the City a lease

agreement for access to the Department of Public Works, Third Maintenance Division in the 12th Ward, 9th Council District of the City of Pittsburgh."

Which was read.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. O'Connor
Mr. Darkins	Mr. Onorato
Mr. Ferlo	Mr. Ricciardi
Michelle Madoff	Mr. Wagner
	(Pres't)

AYES 8 NOES none

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Mr. Ferlo presented

Bill No. 2509

Report of the Committee on Planning, Housing and Development for April 21, 1993 transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 2253

A Resolution entitled, "Resolution providing for an Agreement or Agreements with the Steel Valley Authority for operational/administrative expenses; maintenance; purchase of equipment; and/or minor rehabilitation of neighborhood facilities for the benefit of residents of the City of Pittsburgh, at a cost not to exceed \$2,000.00, chargeable to and payable from Code Account 1103 (110304) Miscellaneous Services, Department of City Planning."

Which was read.

Also,

Bill No. 2254

A Resolution entitled, "Resolution providing for an Agreement or Agreements with Mt. Washington Community Corporation for operational/administrative expenses; maintenance; purchase of equipment; and/or minor rehabilitation of neighborhood facilities for the benefit of residents of the City of Pittsburgh, at a cost not to exceed \$1,000.00, chargeable to and payable from Code Account 1103 (110304) Miscellaneous Services, Department of City Planning."

Which was read.

Also,

Bill No. 2255

A Resolution entitled, "Resolution providing for an Agreement or Agreements with East Liberty Concerned Citizens for operational/administrative expenses; maintenance; purchase of equipment; and/or minor rehabilitation of neighborhood facilities for the benefit of residents of the City of Pittsburgh, at a cost not to exceed \$1,500.00,

chargeable to and payable from Code Account 1103 (110304) Miscellaneous Services, Department of City Planning."

Which was read.

Also,

Bill No. 2256

A Resolution entitled, "Resolution providing for an Agreement or Agreements with Spring Garden Neighborhood Council for operational/administrative expenses; maintenance; purchase of equipment; and/or minor rehabilitation of neighborhood facilities for the benefit of residents of the City of Pittsburgh, at a cost not to exceed \$10,000.00, chargeable to and payable from Code Account 1103 (110304) Miscellaneous Services, Department of City Planning."

Which was read.

Also,

Bill No. 2257

A Resolution entitled, "Resolution providing for an Agreement or Agreements with West End Elliott Joint Project for operational/administrative expenses; maintenance; purchase of equipment; and/or minor rehabilitation of neighborhood facilities for the benefit of residents of the City of Pittsburgh, at a cost not to exceed \$3,500.00, chargeable to and payable from Code Account 1103 (110304) Miscellaneous Services, Department of City Planning."

Which was read.

Also,

Bill No. 2258

A Resolution entitled, "Resolution providing for an Agreement or Agreements with South Side Children's Advisory Council for operational/administrative expenses; maintenance; purchase of equipment; and/or minor rehabilitation of neighborhood facilities for the benefit of residents of the City of Pittsburgh, at a cost not to exceed \$3,000.00, chargeable to and payable from Code Account 1103 (110304) Miscellaneous Services, Department of City Planning."

Which was read.

Also,

Bill No. 2259

A Resolution entitled, "Resolution providing for an Agreement or Agreements with Hill District Civic Association for operational/administrative expenses; maintenance; purchase of equipment; and/or minor rehabilitation of neighborhood facilities for the benefit of residents of the City of Pittsburgh, at a cost not to exceed \$5,000.00, chargeable to and payable from Code Account 1103 (110304) Miscellaneous Services, Department of City Planning."

Which was read.

Also,

Bill No. 2260

A Resolution entitled, "Resolution providing for an Agreement or Agreements with St. George Food Bank for operational/administrative expenses; maintenance; purchase of equipment; and/or minor rehabilitation of neighborhood facilities for the benefit of residents of the City of Pittsburgh, at a cost not to exceed \$1,000.00, chargeable to and payable from Code Account

1103 (110304) Miscellaneous Services,
Department of City Planning."

Which was read.

Also,

Bill No. 2261

A Resolution entitled, "Resolution providing for an Agreement or Agreements with Bloomfield Block Watch for operational/administrative expenses; maintenance; purchase of equipment; and/or minor rehabilitation of neighborhood facilities for the benefit of residents of the City of Pittsburgh, at a cost not to exceed \$4,000.00, chargeable to and payable from Code Account 1103 (110304) Miscellaneous Services, Department of City Planning."

Which was read.

Also,

Bill No. 2262

A Resolution entitled, "Resolution providing for an Agreement or Agreements with Friendship Preservation Group for operational/administrative expenses; maintenance; purchase of equipment; and/or minor rehabilitation of neighborhood facilities for the benefit of residents of the City of Pittsburgh, at a cost not to exceed \$3,000.00, chargeable to and payable from Code Account 1103 (110304) Miscellaneous Services, Department of City Planning."

Which was read.

Also,

Bill No. 2263

A Resolution entitled, "Resolution providing for

an Agreement or Agreements with the Alleghenians, Ltd., for operational/administrative expenses; maintenance; purchase of equipment; and/or minor rehabilitation of neighborhood facilities for the benefit of residents of the City of Pittsburgh, at a cost not to exceed \$1,000.00, chargeable to and payable from Code Account 1103 (110304) Miscellaneous Services, Department of City Planning."

Which was read.

Also,

Bill No. 2264

A Resolution entitled, "Resolution providing for an Agreement or Agreements with the Arthritis Foundation for operational/administrative expenses; maintenance; purchase of equipment; and/or minor rehabilitation of neighborhood facilities for the benefit of residents of the City of Pittsburgh, at a cost not to exceed \$1,000.00, chargeable to and payable from Code Account 1103 (110304) Miscellaneous Services, Department of City Planning."

Which was read.

Also,

Bill No. 2265

A Resolution entitled, "Resolution providing for an Agreement or Agreements with Caliguiri Hall Food Bank for operational/administrative expenses; maintenance; purchase of equipment; and/or minor rehabilitation of neighborhood facilities for the benefit of residents of the City of Pittsburgh, at a cost not to exceed \$1,000.00, chargeable to and payable from Code Account 1103 (110304) Miscellaneous Services, Department of City Planning."

Which was read.

Also,

Bill No. 2266

A Resolution entitled, "Resolution providing for an Agreement or agreements with Crafton Heights Open Door for operational/administrative expenses; maintenance; purchase of equipment; and/or minor rehabilitation of neighborhood facilities for the benefit of residents of the City of Pittsburgh, at a cost not to exceed \$1,000.00, chargeable to and payable from Code Account 1103 (110304) Miscellaneous Services, Department of City Planning."

Which was read.

Also,

Bill No. 2267

A Resolution entitled, "Resolution providing for an Agreement or Agreements with Greater Pittsburgh VHF Society for operational/administrative expenses; maintenance; purchase of equipment; and/or minor rehabilitation of neighborhood facilities for the benefit of residents of the City of Pittsburgh, at a cost not to exceed \$1,000.00, chargeable to and payable from Code Account 1103 (110304) Miscellaneous Services, Department of City Planning."

Which was read.

Also,

Bill No. 2268

A Resolution entitled, "Resolution providing for an Agreement or Agreements with Preservation Pittsburgh for operational/administrative

expenses; maintenance; purchase of equipment; and/or minor rehabilitation of neighborhood facilities for the benefit of residents of the City of Pittsburgh, at a cost not to exceed \$4,000.00, chargeable to and payable from Code Account 1103 (110304) Miscellaneous Services, Department of City Planning."

Which was read.

Also,

Bill No. 2269

A Resolution entitled, "Resolution providing for an Agreement or Agreements with Senior Friends for operational/administrative expenses; maintenance; purchase of equipment; and/or minor rehabilitation of neighborhood facilities for the benefit of residents of the City of Pittsburgh, at a cost not to exceed \$2,000.00, chargeable to and payable from Code Account 1103 (110304) Miscellaneous Services, Department of City Planning."

Which was read.

Also,

Bill No. 2270

A Resolution entitled, "Resolution providing for an Agreement or Agreements with Spring Hill Civic League for operational/administrative expenses; maintenance; purchase of equipment; and/or minor rehabilitation of neighborhood facilities for the benefit of residents of the City of Pittsburgh, at a cost not to exceed \$1,500.00, chargeable to and payable from Code Account 1103 (110304) Miscellaneous Services, Department of City Planning."

Which was read.

Also,

Bill No. 2271

A Resolution entitled, "Resolution providing for an Agreement or Agreements with Thirtieth Ward Knoxville Block Watch for operational/administrative expenses; maintenance; purchase of equipment; and/or minor rehabilitation of neighborhood facilities for the benefit of residents of the City of Pittsburgh, at a cost not to exceed \$1,000.00, chargeable to and payable from Code Account 1103 (110304) Miscellaneous Services, Department of City Planning."

Which was read.

Also,

Bill No. 2272

A Resolution entitled, "Resolution providing for an Agreement or Agreements with Allentown Business Association for operational/administrative expenses; maintenance; purchase of equipment; and/or minor rehabilitation of neighborhood facilities for the benefit of residents of the City of Pittsburgh, at a cost not to exceed \$750.00, chargeable to and payable from Code Account 1103 (110304) Miscellaneous Services, Department of City Planning."

Which was read.

Also,

Bill No. 2273

A Resolution entitled, "Resolution providing for an Agreement or Agreements with Allentown Civic Association for operational/administrative expenses; maintenance; purchase of equipment; and/or minor rehabilitation of neighborhood facilities for the benefit of residents of the City of

Pittsburgh, at a cost not to exceed \$750.00, chargeable to and payable from Code Account 1103 (110304) Miscellaneous Services, Department of City Planning."

Which was read.

Also,

Bill No. 2274

A Resolution entitled, "Resolution providing for an Agreement or Agreements with Apostolic Alliance Village for operational/administrative expenses; maintenance; purchase of equipment; and/or minor rehabilitation of neighborhood facilities for the benefit of residents of the City of Pittsburgh, at a cost not to exceed \$2,000.00, chargeable to and payable from Code Account 1103 (110304) Miscellaneous Services, Department of City Planning."

Which was read.

Also,

Bill No. 2275

A Resolution entitled, "Resolution providing for an Agreement or Agreements with Brighton Heights Citizens Federation for operational/administrative expenses; maintenance; purchase of equipment; and/or minor rehabilitation of neighborhood facilities for the benefit of residents of the City of Pittsburgh, at a cost not to exceed \$1,500.00, chargeable to and payable from Code Account 1103 (110304) Miscellaneous Services, Department of City Planning."

Which was read.

Also,

Bill No. 2276

A Resolution entitled, "Resolution providing for an Agreement or Agreements with Brookline Chamber of Commerce for operational/administrative expenses; maintenance; purchase of equipment; and/or minor rehabilitation of neighborhood facilities for the benefit of residents of the City of Pittsburgh, at a cost not to exceed \$2,500.00, chargeable to and payable from Code Account 1103 (110304) Miscellaneous Services, Department of City Planning."

Which was read.

Also,

Bill No. 2277

A Resolution entitled, "Resolution providing for an Agreement or Agreements with Brookline Meals on Wheels for operational/administrative expenses; maintenance; purchase of equipment; and/or minor rehabilitation of neighborhood facilities for the benefit of residents of the City of Pittsburgh, at a cost not to exceed \$2,000.00, chargeable to and payable from Code Account 1103 (110304) Miscellaneous Services, Department of City Planning."

Which was read.

Also,

Bill No. 2278

A Resolution entitled, "Resolution providing for an Agreement or Agreements with B'Nai Brith Foundation for operational/administrative expenses; maintenance; purchase of equipment; and/or minor rehabilitation of neighborhood facilities for the benefit of residents of the City of Pittsburgh, at a cost not to exceed \$2,000.00, chargeable to and payable from Code Account

1103 (110304) Miscellaneous Services, Department of City Planning."

Which was read.

Also,

Bill No. 2279

A Resolution entitled, "Resolution providing for an Agreement or Agreements with Deprived Poor Americans for operational/administrative expenses; maintenance; purchase of equipment; and/or minor rehabilitation of neighborhood facilities for the benefit of residents of the City of Pittsburgh, at a cost not to exceed \$1,000.00, chargeable to and payable from Code Account 1103 (110304) Miscellaneous Services, Department of City Planning."

Which was read.

Also,

Bill No. 2280

A Resolution entitled, "Resolution providing for an Agreement or Agreements with East Boro Jewish War Vets for operational/administrative expenses; maintenance; purchase of equipment; and/or minor rehabilitation of neighborhood facilities for the benefit of residents of the City of Pittsburgh, at a cost not to exceed \$2,000.00, chargeable to and payable from Code Account 1103 (110304) Miscellaneous Services, Department of City Planning."

Which was read.

Also,

Bill No. 2281

A Resolution entitled, "Resolution providing for an Agreement or Agreements with East End

Discovery Block Club for
operational/administrative expenses;
maintenance; purchase of equipment; and/or
minor rehabilitation of neighborhood facilities
for the benefit of residents of the City of
Pittsburgh, at a cost not to exceed \$500.00,
chargeable to and payable from Code Account
1103 (110304) Miscellaneous Services,
Department of City Planning."

Which was read.

Also,

Bill No. 2282

A Resolution entitled, "Resolution providing for
an Agreement or Agreements with Esplen
Citizens Council for operational/administrative
expenses; maintenance; purchase of equipment;
and/or minor rehabilitation of neighborhood
facilities for the benefit of residents of the City of
Pittsburgh, at a cost not to exceed \$3,000.00,
chargeable to and payable from Code Account
1103 (110304) Miscellaneous Services,
Department of City Planning."

Which was read.

Also,

Bill No. 2283

A Resolution entitled, "Resolution providing for
an Agreement or Agreements with Friends of
Knoxville Library for operational/administrative
expenses; maintenance; purchase of equipment;
and/or minor rehabilitation of neighborhood
facilities for the benefit of residents of the City of
Pittsburgh, at a cost not to exceed \$1,000.00,
chargeable to and payable from Code Account
1103 (110304) Miscellaneous Services,
Department of City Planning."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass
finally?"

The ayes and noes were taken agreeably
to law, and were:

Ayes:

Mr. Cohen	Mr. O'Connor
Mr. Darkins	Mr. Onorato
Mr. Ferlo	Mr. Ricciardi
Michelle Madoff	Mr. Wagner
	(Pres't)

AYES 8 NOES none

And a majority of the votes of Council
being in the affirmative, the bill passed finally.

Also,

Bill No. 2284

A Resolution entitled, "Resolution providing for
an Agreement or Agreements with Genesis for
operational/administrative expenses;
maintenance; purchase of equipment; and/or
minor rehabilitation of neighborhood facilities
for the benefit of residents of the City of
Pittsburgh, at a cost not to exceed \$2,500.00,
chargeable to and payable from Code Account
1103 (110304) Miscellaneous Services,
Department of City Planning."

Which was read.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. O'Connor
Mr. Darkins	Mr. Onorato
Mr. Ferlo	Mr. Ricciardi
Michelle Madoff	

AYES 7 NOES none

(MR. WAGNER ABSTAINING)

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Also,

Bill No. 2285

A Resolution entitled, "Resolution providing for an Agreement or Agreements with Health Education Center for operational/administrative expenses; maintenance; purchase of equipment; and/or minor rehabilitation of neighborhood facilities for the benefit of residents of the City of Pittsburgh, at a cost not to exceed \$1,000.00, chargeable to and payable from Code Account 1103 (110304) Miscellaneous Services, Department of City Planning."

Which was read.

Also,

Bill No. 2286

A Resolution entitled, "Resolution providing for an Agreement or Agreements with Highland Park Community Dev/CDC Formation for operational/administrative expenses;

maintenance; purchase of equipment; and/or minor rehabilitation of neighborhood facilities for the benefit of residents of the City of Pittsburgh, at a cost not to exceed \$5,000.00, chargeable to and payable from Code Account 1103 (110304) Miscellaneous Services, Department of City Planning."

Which was read.

Also,

Bill No. 2287

A Resolution entitled, "Resolution providing for an Agreement or Agreements with the Intestinal Disease Foundation for operational/administrative expenses; maintenance; purchase of equipment; and/or minor rehabilitation of neighborhood facilities for the benefit of residents of the City of Pittsburgh, at a cost not to exceed \$2,000.00, chargeable to and payable from Code Account 1103 (110304) Miscellaneous Services, Department of City Planning."

Which was read.

Also,

Bill No. 2288

A Resolution entitled, "Resolution providing for an Agreement or Agreements with the Kingsley Association for operational/administrative expenses; maintenance; purchase of equipment; and/or minor rehabilitation of neighborhood facilities for the benefit of residents of the City of Pittsburgh, at a cost not to exceed \$3,000.00, chargeable to and payable from Code Account 1103 (110304) Miscellaneous Services, Department of City Planning."

Which was read.

Also,

Bill No. 2289

A Resolution entitled, "Resolution providing for an Agreement or Agreements with North Side Meals on Wheels for operational/administrative expenses; maintenance; purchase of equipment; and/or minor rehabilitation of neighborhood facilities for the benefit of residents of the City of Pittsburgh, at a cost not to exceed \$1,000.00, chargeable to and payable from Code Account 1103 (110304) Miscellaneous Services, Department of City Planning."

Which was read.

Also,

Bill No. 2290

A Resolution entitled, "Resolution providing for an Agreement or Agreements with the Poise Foundation for operational/administrative expenses; maintenance; purchase of equipment; and/or minor rehabilitation of neighborhood facilities for the benefit of residents of the City of Pittsburgh, at a cost not to exceed \$4,000.00, chargeable to and payable from Code Account 1103 (110304) Miscellaneous Services, Department of City Planning."

Which was read.

Also,

Bill No. 2291

A Resolution entitled, "Resolution providing for an Agreement or Agreements with Project Impact - Hazelwood for operational/administrative expenses; maintenance; purchase of equipment; and/or minor rehabilitation of neighborhood facilities for the benefit of residents of the City of

Pittsburgh, at a cost not to exceed \$5,000.00, chargeable to and payable from Code Account 1103 (110304) Miscellaneous Services, Department of City Planning."

Which was read.

Also,

Bill No. 2292

A Resolution entitled, "Resolution providing for an Agreement or Agreements with Riverview Center Jewish Seniors for operational/administrative expenses; maintenance; purchase of equipment; and/or minor rehabilitation of neighborhood facilities for the benefit of residents of the City of Pittsburgh, at a cost not to exceed \$1,500.00, chargeable to and payable from Code Account 1103 (110304) Miscellaneous Services, Department of City Planning."

Which was read.

Also,

Bill No. 2293

A Resolution entitled, "Resolution providing for an Agreement or Agreements with Rosedale Block Cluster for operational/administrative expenses; maintenance; purchase of equipment; and/or minor rehabilitation of neighborhood facilities for the benefit of residents of the City of Pittsburgh, at a cost not to exceed \$1,000.00, chargeable to and payable from Code Account 1103 (110304) Miscellaneous Services, Department of City Planning."

Which was read.

Also,

Bill No. 2294

A Resolution entitled, "Resolution providing for an Agreement or Agreements with St. Raphael's/Messiah Lutheran Food Bank for operational/administrative expenses; maintenance; purchase of equipment; and/or minor rehabilitation of neighborhood facilities for the benefit of residents of the City of Pittsburgh, at a cost not to exceed \$2,500.00, chargeable to and payable from Code Account 1103 (110304) Miscellaneous Services, Department of City Planning."

Which was read.

Also,

Bill No. 2295

A Resolution entitled, "Resolution providing for an Agreement or Agreements with Sheraden Community Council for operational/administrative expenses; maintenance; purchase of equipment; and/or minor rehabilitation of neighborhood facilities for the benefit of residents of the City of Pittsburgh, at a cost not to exceed \$1,000.00, chargeable to and payable from Code Account 1103 (110304) Miscellaneous Services, Department of City Planning."

Which was read.

Also,

Bill No. 2296

A Resolution entitled, "Resolution providing for an Agreement or Agreements with South Oakland Citizens Council for operational/administrative expenses; maintenance; purchase of equipment; and/or minor rehabilitation of neighborhood facilities for the benefit of residents of the City of

Pittsburgh, at a cost not to exceed \$2,000.00, chargeable to and payable from Code Account 1103 (110304) Miscellaneous Services, Department of City Planning."

Which was read.

Also,

Bill No. 2297

A Resolution entitled, "Resolution providing for an Agreement or Agreements with South Point Breeze Citizens Organization for operational/administrative expenses; maintenance; purchase of equipment; and/or minor rehabilitation of neighborhood facilities for the benefit of residents of the City of Pittsburgh, at a cost not to exceed \$4,000.00, chargeable to and payable from Code Account 1103 (110304) Miscellaneous Services, Department of City Planning."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. O'Connor
Mr. Darkins	Mr. Onorato
Mr. Ferlo	Mr. Ricciardi
Michelle Madoff	Mr. Wagner
	(Pres't)

AYES 8

NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Also,

Bill No. 2298

A Resolution entitled, "Resolution providing for an Agreement or Agreements with Three Rivers Labor Management for operational/administrative expenses; maintenance; purchase of equipment; and/or minor rehabilitation of neighborhood facilities for the benefit of residents of the City of Pittsburgh, at a cost not to exceed \$500.00, chargeable to and payable from Code Account 1103 (110304) Miscellaneous Services, Department of City Planning."

Which was read.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. O'Connor
Mr. Darkins	Mr. Onorato
Mr. Ferlo	Mr. Ricciardi
Michelle Madoff	

AYES 7 NOES none

(MR. WAGNER ABSTAINING)

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Also,

Bill No. 2299

A Resolution entitled, "Resolution providing for an Agreement or Agreements with Twenty Ninth Ward Carrick Block Watch for operational/administrative expenses; maintenance; purchase of equipment; and/or minor rehabilitation of neighborhood facilities for the benefit of residents of the City of Pittsburgh, at a cost not to exceed \$1,500.00, chargeable to and payable from Code Account 1103 (110304) Miscellaneous Services, Department of City Planning."

Which was read.

Also,

Bill No. 2300

A Resolution entitled, "Resolution providing for an Agreement or Agreements with Urban Youth Action for operational/administrative expenses; maintenance; purchase of equipment; and/or minor rehabilitation of neighborhood facilities for the benefit of residents of the City of Pittsburgh, at a cost not to exceed \$2,000.00, chargeable to and payable from Code Account 1103 (110304) Miscellaneous Services, Department of City Planning."

Which was read.

Also,

Bill No. 2301

A Resolution entitled, "Resolution providing for an Agreement or Agreements with West End Elliott Citizens Council for operational/administrative expenses; maintenance; purchase of equipment; and/or minor rehabilitation of neighborhood facilities

for the benefit of residents of the City of Pittsburgh, at a cost not to exceed \$3,500.00, chargeable to and payable from Code Account 1103 (110304) Miscellaneous Services, Department of City Planning."

Which was read.

Also,

Bill No. 2302

A Resolution entitled, "Resolution providing for an Agreement or Agreements with Wightman School - Carriage House for operational/administrative expenses; maintenance; purchase of equipment; and/or minor rehabilitation of neighborhood facilities for the benefit of residents of the City of Pittsburgh, at a cost not to exceed \$3,000.00, chargeable to and payable from Code Account 1103 (110304) Miscellaneous Services, Department of City Planning."

Which was read.

Also,

Bill No. 2303

A Resolution entitled, "Resolution providing for an Agreement or Agreements with Generation Together for operation and/or administrative expenses, including purchase of equipment or materials, for the benefit of low-moderate income residents of the City of Pittsburgh, at a cost not to exceed \$13,000.00."

Which was read.

Also,

Bill No. 2304

A Resolution entitled, "Resolution providing for

an Agreement or Agreements with Jewish Community Center for operation and/or administrative expenses, including purchase of equipment or materials, for the benefit of low-moderate income residents of the City of Pittsburgh, at a cost not to exceed \$30,000.00."

Which was read.

Also,

Bill No. 2305

A Resolution entitled, "Resolution providing for an Agreement or Agreements with Persad for operation and/or administrative expenses, including purchase of equipment or materials, for the benefit of low-moderate income residents of the City of Pittsburgh, at a cost not to exceed \$36,500.00."

Which was read.

Also,

Bill No. 2306

A Resolution entitled, "Resolution providing for an Agreement or Agreements with Womens Center and Shelter for operation and/or administrative expenses, including purchase of equipment or materials, for the benefit of low-moderate income residents of the City of Pittsburgh, at a cost not to exceed \$47,000.00."

Which was read.

Also,

Bill No. 2307

A Resolution entitled, "Resolution providing for an Agreement or Agreements with Jewish Family & Childrens Service for operation and/or administrative expenses, including purchase of

equipment or materials, for the benefit of low-moderate income residents of the City of Pittsburgh, at a cost not to exceed \$29,000.00."

Which was read.

Also,

Bill No. 2308

A Resolution entitled, "Resolution providing for an Agreement or Agreements with Pittsburgh Blind Association for operation and/or administrative expenses, including purchase of equipment or materials, for the benefit of low-moderate income residents of the City of Pittsburgh, at a cost not to exceed \$33,000.00."

Which was read.

Also,

A Resolution entitled, "Resolution providing for an Agreement or Agreements with Hazelwood Glenwood Glen Hazel Council for operational and/or administrative expenses, including purchase of equipment or materials, for the benefit of low-moderate income residents of the City of Pittsburgh, at a cost not to exceed \$11,177.00."

Which was read.

Also,

Bill No. 2314

A Resolution entitled, "Resolution providing for an Agreement or Agreements with Health Education Center for operational and/or administrative expenses, including purchase of equipment or materials, for the benefit of low-moderate income residents of the City of Pittsburgh, at a cost not to exceed \$1,750.00."

Which was read.

Also,

Bill No. 2315

A Resolution entitled, "Resolution providing for an Agreement or Agreements with Heavenly Visions Ministries for operational and/or administrative expenses, including purchase of equipment or materials, for the benefit of low-moderate income residents of the City of Pittsburgh, at a cost not to exceed \$1,164.00."

Which was read.

Also,

Bill No. 2316

A Resolution entitled, "Resolution providing for an Agreement or Agreements with Hill District Ministries for operational and/or administrative expenses, including purchase of equipment or materials, for the benefit of low-moderate income residents of the City of Pittsburgh, at a cost not to exceed \$7,000.00."

Which was read.

Also,

Bill No. 2317

A Resolution entitled, "Resolution providing for an Agreement or Agreements with Hilltop/Mt. Washington Meals on Wheels for operational and/or administrative expenses, including purchase of equipment or materials, for the benefit of low-moderate income residents of the City of Pittsburgh, at a cost not to exceed \$4,000.00."

Which was read.

Also,

Bill No. 2318

A Resolution entitled, "Resolution providing for an Agreement or Agreements with Homewood Brushton Community Improvement Association for operational and/or administrative expenses, including purchase of equipment or materials, for the benefit of low-moderate income residents of the City of Pittsburgh, at a cost not to exceed \$5,000.00."

Which was read.

Also,

Bill No. 2319

A Resolution entitled, "Resolution providing for an Agreement or Agreements with Jewish Home for the Aged, Riverview Center for operational and/or administrative expenses, including purchase of equipment or materials, for the benefit of low-moderate income residents of the City of Pittsburgh, at a cost not to exceed \$10,000.00."

Which was read.

Also,

Bill No. 2320

A Resolution entitled, "Resolution providing for an Agreement or Agreements with Just Inn Transition for minor rehabilitation, operating, or administrative expenses, at a cost not to exceed \$2,500.00."

Which was read.

Also,

Bill No. 2321

A Resolution entitled, "Resolution providing for an Agreement or Agreements with Lawrenceville Block Watch Network for operational and/or administrative expenses, including purchase of equipment or materials, for the benefit of low-moderate income residents of the City of Pittsburgh, at a cost not to exceed \$3,777.00."

Which was read.

Also,

Bill No. 2322

A Resolution entitled, "Resolution providing for an Agreement or Agreements with Lawrenceville/Bloomfield Meals on Wheels for operational and/or administrative expenses, including purchase of equipment or materials, for the benefit of low-moderate income residents of the City of Pittsburgh, at a cost not to exceed \$4,000.00."

Which was read.

Also,

Bill No. 2323

A Resolution entitled, "Resolution providing for an Agreement or Agreements with Lawrenceville Citizens Council for operating and/or administrative expenses of their agency involved in a variety of community/economic development activities, at a cost not to exceed \$5,000.00."

Which was read.

Also,

Bill No. 2324

A Resolution entitled, "Resolution providing for an Agreement or Agreements with Lincoln, Larimer, Lemington, Belmar Revitalization Development Corporation for operating and/or administrative expenses of their agency involved in a variety of community/economic development activities, at a cost not to exceed \$25,000.00."

Which was read.

Also,

Bill No. 2325

A Resolution entitled, "Resolution providing for an Agreement or Agreements with Manchesters Craftman's Guild for operational and/or administrative expenses, including purchase of equipment or materials, for the benefit of low-moderate income residents of the City of Pittsburgh, at a cost not to exceed \$15,000.00."

Which was read.

Also,

Bill No. 2326

A Resolution entitled, "Resolution providing for an Agreement or Agreements with Manchester Youth Development for minor rehabilitation, operating or administrative expenses, at a cost not to exceed \$20,000.00."

Which was read.

Also,

Bill No. 2327

A Resolution entitled, "Resolution providing for an Agreement or Agreements with Miryams for

operational and/or administrative expenses, including purchase of equipment or materials, for the benefit of low-moderate income residents of the City of Pittsburgh, at a cost not to exceed \$2,000.00."

Which was read.

Also,

Bill No. 2328

A Resolution entitled, "Resolution providing for an Agreement or Agreements with Mom's House for operational and/or administrative expenses, including purchase of equipment or materials, for the benefit of low-moderate income residents of the City of Pittsburgh, at a cost not to exceed \$17,000.00."

Which was read.

Also,

Bill No. 2329

A Resolution entitled, "Resolution providing for an Agreement or Agreements with Negro Educational Emergency Drive for operational and/or administrative expenses, including purchase of equipment or materials, for the benefit of low-moderate income residents of the City of Pittsburgh, at a cost not to exceed \$5,500.00."

Which was read.

Also,

Bill No. 2330

A Resolution entitled, "Resolution providing for an Agreement or Agreements with Neighborhood Centers for minor rehabilitation, operating or administrative expenses, at a cost

not to exceed \$5,000.00."

Which was read.

Also,

Bill No. 2331

A Resolution entitled, "Resolution providing for an Agreement or Agreements with Ninth Ward Youth Association for minor rehabilitation, operating or administrative expenses, at a cost not to exceed \$7,000.00."

Which was read.

Also,

Bill No. 2332

A Resolution entitled, "Resolution providing for an Agreement or Agreements with Oakland Planning and Development for operating and/or administrative expenses of their agency involved in a variety of community/economic development activities, at a cost not to exceed \$2,000.00."

Which was read.

Also,

Bill No. 2333

A Resolution entitled, "Resolution providing for an Agreement or Agreements with Ozanam Cultural Center for operational and/or administrative expenses, including purchase of equipment or materials, for the benefit of low-moderate income residents of the City of Pittsburgh, at a cost not to exceed \$15,000.00."

Which was read.

Also,

Bill No. 2334

A Resolution entitled, "Resolution providing for an Agreement or Agreements with Perry Hilltop South CDC for operational and/or administrative expenses, including purchase of equipment or materials, for the benefit of low-moderate income residents of the City of Pittsburgh, at a cost not to exceed \$20,000.00."

Which was read.

Also,

Bill No. 2335

A Resolution entitled, "Resolution providing for an Agreement or Agreements with Pittsburgh Aids Task Force for operational and/or administrative expenses, including purchase of equipment or materials, for the benefit of low-moderate income residents of the City of Pittsburgh, at a cost not to exceed \$5,000.00."

Which was read.

Also,

Bill No. 2336

A Resolution entitled, "Resolution providing for an Agreement or Agreements with Pittsburgh Childrens Museum for operational and/or administrative expenses, including purchase of equipment or materials, for the benefit of low-moderate income residents of the City of Pittsburgh, at a cost not to exceed \$13,500.00."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. O'Connor
Mr. Darkins	Mr. Onorato
Mr. Ferlo	Mr. Ricciardi
Michelle Madoff	Mr. Wagner

(Pres't)

AYES 8 NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Also,

Bill No. 2337

A Resolution entitled, "Resolution providing for an Agreement or Agreements with Pittsburgh Cultural Trust for operational and/or administrative expenses, including purchase of equipment or materials, for the benefit of low-moderate income residents of the City of Pittsburgh, at a cost not to exceed \$10,500.00."

Which was read.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. O'Connor
Mr. Darkins	Mr. Onorato
Mr. Ferlo	Mr. Ricciardi
Michelle Madoff	

AYES 7 NOES none

(MR. WAGNER ABSTAINING)

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Also,

Bill No. 2338

A Resolution entitled, "Resolution providing for an Agreement or Agreements with Pittsburgh Literacy Initiative for operational and/or administrative expenses, including purchase of equipment or materials, for the benefit of low-moderate income residents of the City of Pittsburgh, at a cost not to exceed \$5,000.00."

Which was read.

Also,

Bill No. 2339

A Resolution entitled, "Resolution providing for an Agreement or Agreements with Pittsburgh Recovery Systems - Homewood for operational and/or administrative expenses, including purchase of equipment or materials, for the benefit of low-moderate income residents of the City of Pittsburgh, at a cost not to exceed \$5,000.00."

Which was read.

Also,

Bill No. 2340

A Resolution entitled, "Resolution providing for an Agreement or Agreements with Riverview Center for Jewish Seniors for operational and/or administrative expenses, including purchase of equipment or materials, for the benefit of low-moderate income residents of the City of Pittsburgh, at a cost not to exceed \$5,000.00."

Which was read.

Also,

Bill No. 2341

A Resolution entitled, "Resolution providing for an Agreement or Agreements with Rosedale Block Cluster for minor rehabilitation, operating or administrative expenses, at a cost not to exceed \$5,000.00."

Which was read.

Also,

Bill No. 2342

A Resolution entitled, "Resolution providing for an Agreement or Agreements with Saint Canice Child Care Center for operational and/or administrative expenses, including purchase of equipment or materials, for the benefit of low-moderate income residents of the City of Pittsburgh, at a cost not to exceed \$4,000.00."

Which was read.

Also,

Bill No. 2343

A Resolution entitled, "Resolution providing for an Agreement or Agreements with St. Clair Athletic Association for minor rehabilitation,

operating or administrative expenses, at a cost not to exceed \$4,000.00."

Which was read.

Also,

Bill No. 2344

A Resolution entitled, "Resolution providing for an Agreement or Agreements with St. Clair Citizens Council for operational and/or administrative expenses, including purchase of equipment or materials, for the benefit of low-moderate income residents of the City of Pittsburgh, at a cost not to exceed \$1,000.00."

Which was read.

Also,

Bill No. 2345

A Resolution entitled, "Resolution providing for an Agreement or Agreements with St. Mary's Church Lawrenceville Arts Program for operational and/or administrative expenses, including purchase of equipment or materials, for the benefit of low-moderate income residents of the City of Pittsburgh, at a cost not to exceed \$5,000.00."

Which was read.

Also,

Bill No. 2346

A Resolution entitled, "Resolution providing for an Agreement or Agreements with Salvation Army North Side for operational and/or administrative expenses, including purchase of equipment or materials, for the benefit of low-moderate income residents of the City of Pittsburgh, at a cost not to exceed \$2,000.00."

Which was read.

Also,

Bill No. 2347

A Resolution entitled, "Resolution providing for an Agreement or Agreements with Shepherd Wellness Community for minor rehabilitation, operating or administrative expenses, at a cost not to exceed \$11,000.00."

Which was read.

Also,

Bill No. 2348

A Resolution entitled, "Resolution providing for an Agreement or Agreements with Sheptysky Arms, Inc. for minor rehabilitation, operating or administrative expenses, at a cost not to exceed \$15,000.00."

Which was read.

Also,

Bill No. 2349

A Resolution entitled, "Resolution providing for an Agreement or Agreements with Sickle Cell Society for operational and/or administrative expenses, including purchase of equipment or materials, for the benefit of low-moderate income residents of the City of Pittsburgh, at a cost not to exceed \$10,113.00."

Which was read.

Also,

Bill No. 2350

A Resolution entitled, "Resolution providing for an Agreement or Agreements with South Side Local Development Company for operating or administrative expenses of their agency involved in a variety of community/economic development activities, at a cost not to exceed \$14,000.00."

Which was read.

Also,

Bill No. 2351

A Resolution entitled, "Resolution providing for an Agreement or Agreements with South Pittsburgh Economic Revitalization Team (SPERT) for operating or administrative expenses of their agency involved in a variety of community/economic development activities, at a cost not to exceed \$16,777.00."

Which was read.

Also,

Bill No. 2352

A Resolution entitled, "Resolution providing for an Agreement or Agreements with Spring Garden Neighborhood Council for operating and/or administrative expenses of their agency involved in a variety of community/economic development activities, at a cost not to exceed \$30,000.00."

Which was read.

Also,

Bill No. 2353

A Resolution entitled, "Resolution providing for

an Agreement or Agreements with Sudden Infant Death Syndrome for operational and/or administrative expenses, including purchase of equipment or materials, for the benefit of low-moderate income residents of the City of Pittsburgh, at a cost not to exceed \$21,784.00."

Which was read.

Also,

Bill No. 2354

A Resolution entitled, "Resolution providing for an Agreement or Agreements with South Hills Interfaith Ministries for operational and/or administrative expenses, including purchase of equipment or materials, for the benefit of low-moderate income residents of the City of Pittsburgh, at a cost not to exceed \$1,000.00."

Which was read.

Also,

Bill No. 2355

A Resolution entitled, "Resolution providing for an Agreement or Agreements with South West Pittsburgh CDC for operational and/or administrative expenses, including purchase of equipment or materials, for the benefit of low-moderate income residents of the City of Pittsburgh, at a cost not to exceed \$16,777.00."

Which was read.

Also,

Bill No. 2356

A Resolution entitled, "Resolution providing for an Agreement or Agreements with the Urban League for operational and/or administrative expenses, including purchase of equipment or

materials, for the benefit of low-moderate income residents of the City of Pittsburgh, at a cost not to exceed \$2,777.00."

Which was read.

Also,

Bill No. 2357

A Resolution entitled, "Resolution providing for an Agreement or Agreements with Ursuline Center for operational and/or administrative expenses, including purchase of equipment or materials, for the benefit of low-moderate income residents of the City of Pittsburgh, at a cost not to exceed \$12,000.00."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. O'Connor
Mr. Darkins	Mr. Onorato
Mr. Ferlo	Mr. Ricciardi
Michelle Madoff	Mr. Wagner
	(Pres't)

AYES 8

NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Also,

Bill No. 2358

A Resolution entitled, "Resolution providing for an Agreement or Agreements with Vietnam Veterans Leadership Program for operational and/or administrative expenses, including purchase of equipment or materials, for the benefit of low-moderate income residents of the City of Pittsburgh, at a cost not to exceed \$16,000.00."

Which was read.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. O'Connor
Mr. Darkins	Mr. Onorato
Mr. Ferlo	Mr. Ricciardi
Michelle Madoff	

AYES 7 NOES none

(MR. WAGNER ABSTAINING)

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Also,

Bill No. 2359

A Resolution entitled, "Resolution providing for an Agreement or Agreements with Vintage for operational and/or administrative expenses, including purchase of equipment or materials, for

the benefit of low-moderate income residents of the City of Pittsburgh, at a cost not to exceed \$3,000.00."

Which was read.

Also,

Bill No. 2360

A Resolution entitled, "Resolution providing for an Agreement or Agreements with Washington Heights Ecumenical Food Bank for operational and/or administrative expenses, including purchase of equipment or materials, for the benefit of low-moderate income residents of the City of Pittsburgh, at a cost not to exceed \$6,000.00."

Which was read.

Also,

Bill No. 2361

A Resolution entitled, "Resolution providing for an Agreement or Agreements with West End Elliott Joint Project for operating and/or administrative expenses of their agency involved in a variety of community/economic development activities, at a cost not to exceed \$20,000.00."

Which was read.

Also,

Bill No. 2362

A Resolution entitled, "Resolution providing for an Agreement or Agreements with West Side Community Development Corporation for minor rehabilitation, operating or administrative expenses, at a cost not to exceed \$21,000.00."

Which was read.

Also,

Bill No. 2363

A Resolution entitled, "Resolution providing for an Agreement or Agreements with Whale's Tale for operational and/or administrative expenses, including purchase of equipment or materials, for the benefit of low-moderate income residents of the City of Pittsburgh, at a cost not to exceed \$1,000.00."

Which was read.

Also,

Bill No. 2364

A Resolution entitled, "Resolution providing for an Agreement or Agreements with YMCA Lower Hill Outreach for operational and/or administrative expenses, including purchase of equipment or materials, for the benefit of low-moderate income residents of the City of Pittsburgh, at a cost not to exceed \$6,000.00."

Which was read.

Also,

Bill No. 2365

A Resolution entitled, "Resolution providing for an Agreement or Agreements with Youthbuild for operational and/or administrative expenses, including purchase of equipment or materials, for the benefit of low-moderate income residents of the City of Pittsburgh, at a cost not to exceed \$10,000.00."

Which was read.

Also,

Bill No. 2366

A Resolution entitled, "Resolution providing for an Agreement or Agreements with Arc House for minor rehabilitation, operating or administrative expenses, at a cost not to exceed \$2,000.00."

Which was read.

Also,

Bill No. 2367

A Resolution entitled, "Resolution providing for an Agreement or Agreements with Arlington Meals on Wheels for operational and/or administrative expenses, including purchase of equipment or materials, for the benefit of low-moderate income residents of the City of Pittsburgh, at a cost not to exceed \$1,000.00."

Which was read.

Also,

Bill No. 2368

A Resolution entitled, "Resolution providing for an Agreement or Agreements with Beltzhoover Neighborhood Council for operational and/or administrative expenses, including purchase of equipment or materials, for the benefit of low-moderate income residents of the City of Pittsburgh, at a cost not to exceed \$4,000.00."

Which was read.

Also,

Bill No. 2369

A Resolution entitled, "Resolution providing for an Agreement or Agreements with Bethany House Ministry for operational and/or

administrative expenses, including purchase of equipment or materials, for the benefit of low-moderate income residents of the City of Pittsburgh, at a cost not to exceed \$1,000.00."

Which was read.

Also,

Bill No. 2370

A Resolution entitled, "Resolution providing for an Agreement or Agreements with Black Contractors Association for operational and/or administrative expenses, including purchase of equipment or materials, for the benefit of low-moderate income residents of the City of Pittsburgh, at a cost not to exceed \$4,750.00."

Which was read.

Also,

Bill No. 2371

A Resolution entitled, "Resolution providing for an Agreement or Agreements with Black Vietnam Vets for operational and/or administrative expenses, including purchase of equipment or materials, for the benefit of low-moderate income residents of the City of Pittsburgh, at a cost not to exceed \$5,500.00."

Which was read.

Also,

Bill No. 2372

A Resolution entitled, "Resolution providing for an Agreement or Agreements with Boys & Girls Club for operational and/or administrative expenses, including purchase of equipment or materials, for the benefit of low-moderate income residents of the City of Pittsburgh, at a cost not to

exceed \$14,000.00."

Which was read.

Also,

Bill No. 2373

A Resolution entitled, "Resolution providing for an Agreement or Agreements with Brashear Association (Henry Kauffman Center) for operational and/or administrative expenses, including purchase of equipment or materials, for the benefit of low-moderate income residents of the City of Pittsburgh, at a cost not to exceed \$5,000.00."

Which was read.

Also,

Bill No. 2374

A Resolution entitled, "Resolution providing for an Agreement or Agreements with Carebreak for operational and/or administrative expenses, including purchase of equipment or materials, for the benefit of low-moderate income residents of the City of Pittsburgh, at a cost not to exceed \$50,000.00."

Which was read.

Also,

Bill No. 2375

A Resolution entitled, "Resolution providing for an Agreement or Agreements with Carriage House for minor rehabilitation, operating or administrative expenses, at a cost not to exceed \$8,000.00."

Which was read.

Also,

Bill No. 2376

A Resolution entitled, "Resolution providing for an Agreement or Agreements with Carriage House - Children's Center for minor rehabilitation, operating or administrative expenses, at a cost not to exceed \$1,000.00."

Which was read.

Also,

Bill No. 2377

A Resolution entitled, "Resolution providing for an Agreement or Agreements with Center for Independent Living for operational and/or administrative expenses, including purchase of equipment or materials, for the benefit of low-moderate income residents of the City of Pittsburgh, at a cost not to exceed \$2,000.00."

Which was read.

Also,

Bill No. 2378

A Resolution entitled, "Resolution providing for an Agreement or Agreements with Center for Victims of Violent Crime for operational and/or administrative expenses, including purchase of equipment or materials, for the benefit of low-moderate income residents of the City of Pittsburgh, at a cost not to exceed \$30,000.00."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass

finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. O'Connor
Mr. Darkins	Mr. Onorato
Mr. Ferlo	Mr. Ricciardi
Michelle Madoff	Mr. Wagner
	(Pres't)

AYES 8

NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Also,

Bill No. 2379

A Resolution entitled, "Resolution providing for an Agreement or Agreements with Chemical People Institute for operational and/or administrative expenses, including purchase of equipment or materials, for the benefit of low-moderate income residents of the City of Pittsburgh, at a cost not to exceed \$3,000.00."

Which was read.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. O'Connor
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Mr. Darkins Mr. Onorato
Mr. Ferlo Mr. Ricciardi
Michelle Madoff

AYES 7 NOES none

(MR. WAGNER ABSTAINING)

And a majority of the votes of Council
being in the affirmative, the bill passed finally.

Also,

Bill No. 2380

A Resolution entitled, "Resolution providing for
an Agreement or Agreements with Commission
on Families for operational and/or administrative
expenses, including purchase of equipment or
materials, for the benefit of low-moderate income
residents of the City of Pittsburgh, at a cost not to
exceed \$100,000.00."

Which was read.

Also,

Bill No. 2381

A Resolution entitled, "Resolution providing for
an Agreement or Agreements with Council Care
for operational and/or administrative expenses,
including purchase of equipment or materials, for
the benefit of low-moderate income residents of
the City of Pittsburgh, at a cost not to exceed
\$5,000.00."

Which was read.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass
finally?"

The ayes and noes were taken agreeably
to law, and were:

Ayes:

Mr. Darkins Mr. Onorato
Mr. Ferlo Mr. Ricciardi
Michelle Madoff Mr. Wagner
Mr. O'Connor (Pres't)

AYES 7 NOES none

(MR. COHEN ABSTAINING)

And a majority of the votes of Council
being in the affirmative, the bill passed finally.

Also,

Bill No. 2382

A Resolution entitled, "Resolution providing for
an Agreement or Agreements with Dollar Energy
Fund for operational and/or administrative
expenses, including purchase of equipment or
materials, for the benefit of low-moderate income
residents of the City of Pittsburgh, at a cost not to
exceed \$20,000.00."

Which was read.

Also,

Bill No. 2383

A Resolution entitled, "Resolution providing for
an Agreement or Agreements with Elder-Ado for
operational and/or administrative expenses,
including purchase of equipment or materials, for
the benefit of low-moderate income residents of
the City of Pittsburgh, at a cost not to exceed
\$9,000.00."

Which was read.

Also,

Bill No. 2384

A Resolution entitled, "Resolution providing for an Agreement or Agreements with Elizabeth Seton Center for operational and/or administrative expenses, including purchase of equipment or materials, for the benefit of low-moderate income residents of the City of Pittsburgh, at a cost not to exceed \$10,000.00."

Which was read.

Also,

Bill No. 2385

A Resolution entitled, "Resolution providing for an Agreement or Agreements with Esplen Senior Citizens for operational and/or administrative expenses, including purchase of equipment or materials, for the benefit of low-moderate income residents of the City of Pittsburgh, at a cost not to exceed \$14,000.00."

Which was read.

Also,

Bill No. 2386

A Resolution entitled, "Resolution providing for an Agreement or Agreements with Fencing for Fun for operational and/or administrative expenses, including purchase of equipment or materials, for the benefit of low-moderate income residents of the City of Pittsburgh, at a cost not to exceed \$4,000.00."

Which was read.

Also,

Bill No. 2387

A Resolution entitled, "Resolution providing for an Agreement or Agreements with Friendship Development Association for operating and/or administrative expenses of their agency involved in a variety of community/economic development activities, at a cost not to exceed \$6,000.00."

Which was read.

Also,

Bill No. 2388

A Resolution entitled, "Resolution providing for an Agreement or Agreements with Garfield Can for operational and/or administrative expenses, including purchase of equipment or materials, for the benefit of low-moderate income residents of the City of Pittsburgh, at a cost not to exceed \$2,000.00."

Which was read.

Also,

Bill No. 2389

A Resolution entitled, "Resolution providing for an Agreement or Agreements with Garfield Jubilee for operational and/or administrative expenses, including purchase of equipment or materials, for the benefit of low-moderate income residents of the City of Pittsburgh, at a cost not to exceed \$12,000.00."

Which was read.

Also,

Bill No. 2390

A Resolution entitled, "Resolution providing for

an Agreement or Agreements with Golden Carriage for operational and/or administrative expenses, including purchase of equipment or materials, for the benefit of low-moderate income residents of the City of Pittsburgh, at a cost not to exceed \$4,000.00."

Which was read.

Also,

Bill No. 2391

A Resolution entitled, "Resolution providing for an Agreement or Agreements with Grassroots Unlimited for operational and/or administrative expenses, including purchase of equipment or materials, for the benefit of low-moderate income residents of the City of Pittsburgh, at a cost not to exceed \$1,000.00."

Which was read.

Also,

Bill No. 2392

A Resolution entitled, "Resolution providing for an Agreement or Agreements with Greater Pittsburgh Commission on Women for operational and/or administrative expenses, including purchase of equipment or materials, for the benefit of low-moderate income residents of the City of Pittsburgh, at a cost not to exceed \$10,000.00."

Which was read.

Also,

Bill No. 2393

A Resolution entitled, "Resolution providing for an Agreement or Agreements with Greenfield Organization for operational and/or

administrative expenses, including purchase of equipment or materials, for the benefit of low-moderate income residents of the City of Pittsburgh, at a cost not to exceed \$15,600.00."

Which was read.

Also,

Bill No. 2394

A Resolution entitled, "Resolution providing for an Agreement or Agreements with Hunger Services for operational and/or administrative expenses, including purchase of equipment or materials, for the benefit of low-moderate income residents of the City of Pittsburgh, at a cost not to exceed \$55,000.00."

Which was read.

Also,

Bill No. 2395

A Resolution entitled, "Resolution providing for an Agreement or Agreements with Pittsburgh Community Services Hunger Trust Fund for operational and/or administrative expenses, including purchase of equipment or materials, for the benefit of low-moderate income residents of the City of Pittsburgh, at a cost not to exceed \$200,000.00."

Which was read.

Also,

Bill No. 2396

A Resolution entitled, "Resolution providing for an Agreement or Agreements with Pittsburgh Community Services Small Grant Program for operational and/or administrative expenses, including purchase of equipment or materials, for

the benefit of low-moderate income residents of the City of Pittsburgh, at a cost not to exceed \$210,000.00."

Which was read.

Also,

Bill No. 2397

A Resolution entitled, "Resolution providing for an Agreement or Agreements with Pittsburgh Community Services -Safety Program for minor rehabilitation, operating or administrative expenses, at a cost not to exceed \$210,000.00."

Which was read.

Also,

Bill No. 2398

A Resolution entitled, "Resolution providing for an Agreement or Agreements with Salvation Army Inebriate Program for operational and/or administrative expenses, including purchase of equipment or materials, for the benefit of low-moderate income residents of the City of Pittsburgh, at a cost not to exceed \$60,000.00."

Which was read.

Also,

Bill No. 2399

A Resolution entitled, "Resolution providing for an Agreement or Agreements with United Cerebral Palsy Association for minor rehabilitation, operating or administrative expenses, at a cost not to exceed \$3,000.00."

Which was read.

Also,

Bill No. 2400

A Resolution entitled, "Resolution providing for an Agreement or Agreements with West Neighborhood Employment & Training Program for operating and/or administrative expenses of their agency involved in a variety of community/economic development activities, at a cost not to exceed \$20,000.00."

Which was read.

Also,

Bill No. 2401

A Resolution entitled, "Resolution providing for an Agreement or Agreements with Western PA Conservancy for operational and/or administrative expenses, including purchase of equipment or materials, for the benefit of low-moderate income residents of the City of Pittsburgh, at a cost not to exceed \$75,000.00."

Which was read.

Also,

Bill No. 2402

A Resolution entitled, "Resolution providing for an Agreement or Agreements with the Wightman School for minor rehabilitation, operating or administrative expenses, at a cost not to exceed \$40,000.00."

Which was read.

Also,

Bill No. 2403

A Resolution entitled, "Resolution authorizing the Urban Redevelopment of Pittsburgh to

submit an application to the Pennsylvania Department of Community Affairs for a grant of Strategy 21 funds in the amount of \$17,750,000 for the Downtown Cultural District Development - Phase II."

Which was read.

Also,

Bill No. 2404

A Resolution entitled, "Resolution authorizing a Cooperation Agreement with the Urban Redevelopment Authority of Pittsburgh providing for the designation of \$17,750,000 in public and private investment in the Downtown Cultural District Development - Phase II as the local share for a grant applied for in an application for Strategy 21 funds filed with the Pennsylvania Department of Community Affairs and providing for the transfer to the Authority of \$2,500,000."

Which was read.

Also,

Bill No. 2405

A Resolution entitled, "Resolution providing for the execution of a Cooperation Agreement or Agreements with the Urban Redevelopment Authority of Pittsburgh for the performance of certain work in connection with the 1993-1994 Community Development Block Grant Program, and providing for the payment of the costs thereof."

Which was read.

Also,

Bill No. 2471

A Resolution entitled, "Resolution providing for the creation of a special trust fund to be known as the 'Brereton Street Trust Fund' for the deposit of funds to be used for the repairs to the Brereton Street Retaining Wall." --- (SPONSORED BY MR. FERLO)

Which was read.

Mr. Ferlo:

On Bill 2471, this is a bill creating the Brereton Street Trust Fund. This is only one of several pieces of legislation that must come forward from the Administration. This bill today creates a trust fund whereby at least five different companies and other public agencies, including the Port Authority and various contractors who originally worked on the busway who caused a major problem on Brereton Street as you're approaching the 30th Street Bridge. This has been an area that has been dangerous, aesthetically displeasing, and downright unsafe for more than a decade.

So there's finally beginning to be some light at the end of the tunnel, but I want to alert the community that this is just one bill. The Administration must forward to Council at least three other pieces of the puzzle here. This is receiving the monies that these companies have agreed to, a court settlement, to help pay for the repair of the retaining wall on Brereton Street.

As well, this project will also put a new sidewalk in to restore safe pedestrian traffic down Brereton Street.

It's my understanding, having talked to the Solicitor this morning, that she hopes to have the other bills in place in next week's Tuesday's agenda. And according to Director Sciulli from Engineering and Construction, he feels that once

these bills are in place that they could bring the project to completion this construction year.

The Chair:

Is there any further discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. O'Connor
Mr. Darkins	Mr. Onorato
Mr. Ferlo	Mr. Ricciardi
Michelle Madoff	Mr. Wagner
	(Pres't)

AYES 8 NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Mr. O'Connor presented

Bill No. 2510

Report of the Committee on Parks and Recreation for April 21, 1993 transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 2406

A Resolution entitled, "Resolution providing for an Agreement or Agreements with Allegheny County Law Enforcement Office for the

furnishing of professional services for the benefit of the residents of the City of Pittsburgh; and providing for the payment of the cost thereof not to exceed One Thousand Five Hundred (\$1,500.00) Dollars, chargeable to and payable from Code Account 1838 (183806) Miscellaneous Services, Recreation, in the Department of Parks and Recreation."

Which was read.

Also,

Bill No. 2407

A Resolution entitled, "Resolution providing for an Agreement or Agreements with Arsenal Board of Trade for the furnishing of professional services for the benefit of the residents of the City of Pittsburgh; and providing for the payment of the cost thereof not to exceed Four Thousand (\$4,000.00) Dollars, chargeable to and payable from Code Account 1838 (183806) Miscellaneous Services, Recreation, in the Department of Parks and Recreation."

Which was read.

Also,

Bill No. 2408

A Resolution entitled, "Resolution providing for an Agreement or Agreements with Beechview Community Council for the furnishing of professional services for the benefit of the residents of the City of Pittsburgh; and providing for the payment of the cost thereof not to exceed Three Thousand (\$3,000.00) Dollars, chargeable to and payable from Code Account 1838 (183806) Miscellaneous Services, Recreation, in the Department of Parks and Recreation."

Which was read.

Also,

Bill No. 2409

A Resolution entitled, "Resolution providing for an Agreement or Agreements with Bloomfield Citizens Council for the furnishing of professional services for the benefit of the residents of the City of Pittsburgh; and providing for the payment of the cost thereof not to exceed Six Thousand (\$6,000.00) Dollars, chargeable to and payable from Code Account 1838 (183806) Miscellaneous Services, Recreation, in the Department of Parks and Recreation."

Which was read.

Mr. Ferlo:

I'd like to clarify something on Bill 2409. This is a \$6,000 grant from City Council and City government to the Bloomfield Citizens Council. I just want to clarify generally that there are many more organizations who applied or sought funding from City government than City Council and the Mayor were together able to actually fund. And even of the 200 odd organizations that did receive funding either from Grants and Donations or from the Federal Community Block Grant Dollars, there's no way that the actual grant that we made represents the worth of the organization totally or represented all the money that the groups requested. The fact of the matter is, there are many more organizations that either asked for money than this Council is able to fund. And when we do fund an organization, it usually represents a smaller portion of a group's overall budget. So, often times the grants are anywhere from \$1,000 to typically \$5,000, \$6,000, \$7,000, and that's just unfortunately the reality of the limited dollars that we have.

If there is any just cause for any criticism of this Council or the Administration funding any group, it's incumbent upon that group to

communicate to Members of Council or the Administration or the Controller's Office, especially if there's any hint of impropriety. And that's up to that particular group.

In the case of 2409, Bloomfield Citizens Council, in giving this grant this Council is not saying that is all your organization is worth. In this case, this organization happens to perform a lot of other community organizing, recreation, cultural, community development kinds of activities. But there's a limited pot of money.

If this group also has a criticism of another group receiving money, that's a criticism that would have to be raised with individual Councilmembers who are working to direct this Council to fund certain organizations.

I think all of us give the money and allocate these dollars in good faith, based on our review of the worthiness of these organizations and the good work that they do. Thank you.

Also,

Bill No. 2410

A Resolution entitled, "Resolution providing for an Agreement or Agreements with Boys and Girls Club of Western Pa. for the furnishing of professional services for the benefit of the residents of the City of Pittsburgh; and providing for the payment of the cost thereof not to exceed Two Thousand Five Hundred (\$2,500.00) Dollars, chargeable to and payable from Code Account 1838 (183806) Miscellaneous Services, Recreation, in the Department of Parks and Recreation."

Which was read.

Also,

Bill No. 2411

A Resolution entitled, "Resolution providing for an Agreement or Agreements with Brashear Association for the furnishing of professional services for the benefit of the residents of the City of Pittsburgh; and providing for the payment of the cost thereof not to exceed Ten Thousand (\$10,000.00) Dollars, chargeable to and payable from Code Account 1838 (183806) Miscellaneous Services, Recreation, in the Department of Parks and Recreation."

Which was read.

Also,

Bill No. 2412

A Resolution entitled, "Resolution providing for an Agreement or Agreements with Bump Yes Athletic Association for the furnishing of professional services for the benefit of the residents of the City of Pittsburgh; and providing for the payment of the cost thereof not to exceed Seven Thousand (\$7,000.00) Dollars, chargeable to and payable from Code Account 1838 (183806) Miscellaneous Services, Recreation, in the Department of Parks and Recreation."

Which was read.

Also,

Bill No. 2413

A Resolution entitled, "Resolution providing for an Agreement or Agreements with Catholic Youth Association of Pittsburgh, Inc. for the furnishing of professional services for the benefit of the residents of the City of Pittsburgh; and providing for the payment of the cost thereof not to exceed Four Thousand (\$4,000.00) Dollars, chargeable to and payable from Code Account

1838 (183806) Miscellaneous Services, Recreation, in the Department of Parks and Recreation."

Which was read.

Also,

Bill No. 2414

A Resolution entitled, "Resolution providing for an Agreement or Agreements with City Theatre for the furnishing of professional services for the benefit of the residents of the City of Pittsburgh; and providing for the payment of the cost thereof not to exceed Six Thousand (\$6,000.00) Dollars, chargeable to and payable from Code Account 1838 (183806) Miscellaneous Services, Recreation, in the Department of Parks and Recreation."

Which was read.

Also,

Bill No. 2415

A Resolution entitled, "Resolution providing for an Agreement or Agreements with Elliott West End Athletic Association for the furnishing of professional services for the benefit of the residents of the City of Pittsburgh; and providing for the payment of the cost thereof not to exceed Three Thousand Five Hundred (\$3,500.00) Dollars, chargeable to and payable from Code Account 1838 (183806) Miscellaneous Services, Recreation, in the Department of Parks and Recreation."

Which was read.

Also,

Bill No. 2416

A Resolution entitled, "Resolution providing for an Agreement or Agreements with Federation of War Vets for the furnishing of professional services for the benefit of the residents of the City of Pittsburgh; and providing for the payment of the cost thereof not to exceed One Thousand Eight Hundred (\$1,800.00) Dollars, chargeable to and payable from Code Account 1838 (183806) Miscellaneous Services, Recreation, in the Department of Parks and Recreation."

Which was read.

Also,

Bill No. 2417

A Resolution entitled, "Resolution providing for an Agreement or Agreements with Morningside Little Vikings for the furnishing of professional services for the benefit of the residents of the City of Pittsburgh; and providing for the payment of the cost thereof not to exceed One Thousand (\$1,000.00) Dollars, chargeable to and payable from Code Account 1838 (183806) Miscellaneous Services, Recreation, in the Department of Parks and Recreation."

Which was read.

Also,

Bill No. 2418

A Resolution entitled, "Resolution providing for an Agreement or Agreements with Lincoln Place Youth Athletic Association for the furnishing of professional services for the benefit of the residents of the City of Pittsburgh; and providing for the payment of the cost thereof not to exceed One Thousand (\$1,000.00) Dollars, chargeable to and payable from Code Account 1838 (183806) Miscellaneous Services, Recreation, in

the Department of Parks and Recreation."

Which was read.

Also,

Bill No. 2419

A Resolution entitled, "Resolution providing for an Agreement or Agreements with Homewood Brushton Stingers Association for the furnishing of professional services for the benefit of the residents of the City of Pittsburgh; and providing for the payment of the cost thereof not to exceed Two Thousand (\$2,000.00) Dollars, chargeable to and payable from Code Account 1838 (183806) Miscellaneous Services, Recreation, in the Department of Parks and Recreation."

Which was read.

Also,

Bill No. 2420

A Resolution entitled, "Resolution providing for an Agreement or Agreements with Homewood Brushton Athletic Association for the furnishing of professional services for the benefit of the residents of the City of Pittsburgh; and providing for the payment of the cost thereof not to exceed Two Thousand (\$2,000.00) Dollars, chargeable to and payable from Code Account 1838 (183806) Miscellaneous Services, Recreation, in the Department of Parks and Recreation."

Which was read.

Also,

Bill No. 2421

A Resolution entitled, "Resolution providing for an Agreement or Agreements with Homewood Art Museum for the furnishing of professional

services for the benefit of the residents of the City of Pittsburgh; and providing for the payment of the cost thereof not to exceed One Thousand (\$1,000.00) Dollars, chargeable to and payable from Code Account 1838 (183806) Miscellaneous Services, Recreation, in the Department of Parks and Recreation."

Which was read.

Also,

Bill No. 2422

A Resolution entitled, "Resolution providing for an Agreement or Agreements with Hazelwood Little League for the furnishing of professional services for the benefit of the residents of the City of Pittsburgh; and providing for the payment of the cost thereof not to exceed One Thousand (\$1,000.00) Dollars, chargeable to and payable from Code Account 1838 (183806) Miscellaneous Services, Recreation, in the Department of Parks and Recreation."

Which was read.

Also,

Bill No. 2423

A Resolution entitled, "Resolution providing for an Agreement or Agreements with Greenfield Organization Soccer for the furnishing of professional services for the benefit of the residents of the City of Pittsburgh; and providing for the payment of the cost thereof not to exceed One Thousand (\$1,000.00) Dollars, chargeable to and payable from Code Account 1838 (183806) Miscellaneous Services, Recreation, in the Department of Parks and Recreation."

Which was read.

Also,

Bill No. 2424

A Resolution entitled, "Resolution providing for an Agreement or Agreements with Greenfield Football Organization for the furnishing of professional services for the benefit of the residents of the City of Pittsburgh; and providing for the payment of the cost thereof not to exceed One Thousand (\$1,000.00) Dollars, chargeable to and payable from Code Account 1838 (183806) Miscellaneous Services, Recreation, in the Department of Parks and Recreation."

Which was read.

Also,

Bill No. 2425

A Resolution entitled, "Resolution providing for an Agreement or Agreements with Greenfield Baseball Association for the furnishing of professional services for the benefit of the residents of the City of Pittsburgh; and providing for the payment of the cost thereof not to exceed One Thousand (\$1,000.00) Dollars, chargeable to and payable from Code Account 1838 (183806) Miscellaneous Services, Recreation, in the Department of Parks and Recreation."

Which was read.

Also,

Bill No. 2426

A Resolution entitled, "Resolution providing for an Agreement or Agreements with George 'Dew' Brown Summer League for the furnishing of professional services for the benefit of the residents of the City of Pittsburgh; and providing for the payment of the cost thereof not to exceed Three Thousand (\$3,000.00) Dollars, chargeable to and payable from Code Account 1838

(183806) Miscellaneous Services, Recreation, in the Department of Parks and Recreation."

Which was read.

Also,

Bill No. 2427

A Resolution entitled, "Resolution providing for an Agreement or Agreements with Fourteenth Ward Baseball Association for the furnishing of professional services for the benefit of the residents of the City of Pittsburgh; and providing for the payment of the cost thereof not to exceed One Thousand (\$1,000.00) Dollars, chargeable to and payable from Code Account 1838 (183806) Miscellaneous Services, Recreation, in the Department of Parks and Recreation."

Which was read.

Also,

Bill No. 2428

A Resolution entitled, "Resolution providing for an Agreement or Agreements with Observatory Hill, Inc. for the furnishing of professional services for the benefit of the residents of the City of Pittsburgh; and providing for the payment of the cost thereof not to exceed One Thousand Five Hundred (\$1,500.00) Dollars, chargeable to and payable from Code Account 1838 (183806) Miscellaneous Services, Recreation, in the Department of Parks and Recreation."

Which was read.

Also,

Bill No. 2429

A Resolution entitled, "Resolution providing for an Agreement or Agreements with Overbrook

Community Council for the furnishing of professional services for the benefit of the residents of the City of Pittsburgh; and providing for the payment of the cost thereof not to exceed Seven Hundred (\$700.00) Dollars, chargeable to and payable from Code Account 1838 (183806) Miscellaneous Services, Recreation, in the Department of Parks and Recreation."

Which was read.

Also,

Bill No. 2430

A Resolution entitled, "Resolution providing for an Agreement or Agreements with Perry Athletic Association for the furnishing of professional services for the benefit of the residents of the City of Pittsburgh; and providing for the payment of the cost thereof not to exceed Two Thousand (\$2,000.00) Dollars, chargeable to and payable from Code Account 1838 (183806) Miscellaneous Services, Recreation, in the Department of Parks and Recreation."

Which was read.

Also,

Bill No. 2431

A Resolution entitled, "Resolution providing for an Agreement or Agreements with Pittsburgh Dynamo Soccer for the furnishing of professional services for the benefit of the residents of the City of Pittsburgh; and providing for the payment of the cost thereof not to exceed One Thousand (\$1,000.00) Dollars, chargeable to and payable from Code Account 1838 (183806) Miscellaneous Services, Recreation, in the Department of Parks and Recreation."

Which was read.

Also,

Bill No. 2432

A Resolution entitled, "Resolution providing for an Agreement or Agreements with Boys and Girls Club of Western Pa. (for Pittsburgh Summer Basketball League) for the furnishing of professional services for the benefit of the residents of the City of Pittsburgh; and providing for the payment of the cost thereof not to exceed One Thousand Five Hundred (\$1,500.00) Dollars, chargeable to and payable from Code Account 1838 (183806) Miscellaneous Services, Recreation, in the Department of Parks and Recreation."

Which was read.

Also,

Bill No. 2433

A Resolution entitled, "Resolution providing for an Agreement or Agreements with Saint Leo's Athletic Association for the furnishing of professional services for the benefit of the residents of the City of Pittsburgh; and providing for the payment of the cost thereof not to exceed One Thousand (\$1,000.00) Dollars, chargeable to and payable from Code Account 1838 (183806) Miscellaneous Services, Recreation, in the Department of Parks and Recreation."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. O'Connor
Mr. Darkins	Mr. Onorato
Mr. Ferlo	Mr. Ricciardi
Michelle Madoff	Mr. Wagner
	(Pres't)

AYES 8

NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Also,

Bill No. 2434

A Resolution entitled, "Resolution providing for an Agreement or Agreements with Sharing and Caring Inc. for the furnishing of professional services for the benefit of the residents of the City of Pittsburgh; and providing for the payment of the cost thereof not to exceed Six Thousand Five Hundred (\$6,500.00) Dollars, chargeable to and payable from Code Account 1838 (183806) Miscellaneous Services, Recreation, in the Department of Parks and Recreation."

Which was read.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. O'Connor
Mr. Darkins	Mr. Onorato

Mr. Ferlo
Michelle Madoff

Mr. Ricciardi

AYES 7

NOES none

(MR. WAGNER ABSTAINING)

And a majority of Council being in the affirmative, the bill passed finally.

Also,

Bill No. 2435

A Resolution entitled, "Resolution providing for an Agreement or Agreements with Sheraden Slow Pitch Softball for the furnishing of professional services for the benefit of the residents of the City of Pittsburgh; and providing for the payment of the cost thereof not to exceed Three Thousand (\$3,000.00) Dollars, chargeable to and payable from Code Account 1838 (183806) Miscellaneous Services, Recreation, in the Department of Parks and Recreation."

Which was read.

Also,

Bill No. 2436

A Resolution entitled, "Resolution providing for an Agreement or Agreements with Shooting Star Productions, Inc. for the furnishing of professional services for the benefit of the residents of the City of Pittsburgh; and providing for the payment of the cost thereof not to exceed Five Hundred (\$500.00) Dollars, chargeable to and payable from Code Account 1838 (183806) Miscellaneous Services, Recreation, in the Department of Parks and Recreation."

Which was read.

Also,

Bill No. 2437

A Resolution entitled, "Resolution providing for an Agreement or Agreements with Sounds of Heritage for the furnishing of professional services for the benefit of the residents of the City of Pittsburgh; and providing for the payment of the cost thereof not to exceed Five Thousand (\$5,000.00) Dollars, chargeable to and payable from Code Account 1838 (183806) Miscellaneous Services, Recreation, in the Department of Parks and Recreation."

Which was read.

Also,

Bill No. 2438

A Resolution entitled, "Resolution providing for an Agreement or Agreements with Spring View Athletic Association for the furnishing of professional services for the benefit of the residents of the City of Pittsburgh; and providing for the payment of the cost thereof not to exceed Three Thousand Five Hundred (\$3,500.00) Dollars, chargeable to and payable from Code Account 1838 (183806) Miscellaneous Services, Recreation, in the Department of Parks and Recreation."

Which was read.

Also,

Bill No. 2439

A Resolution entitled, "Resolution providing for an Agreement or Agreements with Three Rivers Aquatic for the furnishing of professional services for the benefit of the residents of the City of Pittsburgh; and providing for the payment of the cost thereof not to exceed One Thousand Five Hundred (\$1,500.00) Dollars, chargeable to and

payable from Code Account 1838 (183806) Miscellaneous Services, Recreation, in the Department of Parks and Recreation."

Which was read.

Also,

Bill No. 2440

A Resolution entitled, "Resolution providing for an Agreement or Agreements with Uptown Little League for the furnishing of professional services for the benefit of the residents of the City of Pittsburgh; and providing for the payment of the cost thereof not to exceed Five Thousand (\$5,000.00) Dollars, chargeable to and payable from Code Account 1838 (183806) Miscellaneous Services, Recreation, in the Department of Parks and Recreation."

Which was read.

Also,

Bill No. 2441

A Resolution entitled, "Resolution providing for an Agreement or Agreements with Washington Heights Athletic Association for the furnishing of professional services for the benefit of the residents of the City of Pittsburgh; and providing for the payment of the cost thereof not to exceed Five Thousand Five Hundred (\$5,500.00) Dollars, chargeable to and payable from Code Account 1838 (183806) Miscellaneous Services, Recreation, in the Department of Parks and Recreation."

Which was read.

Also,

Bill No. 2442

A Resolution entitled, "Resolution providing for an Agreement or Agreements with Western Pennsylvania Conservancy for the furnishing of professional services for the benefit of the residents of the City of Pittsburgh; and providing for the payment of the cost thereof not to exceed Twenty Thousand (\$20,000.00) Dollars, chargeable to and payable from Code Account 1838 (183806) Miscellaneous Services, Recreation, in the Department of Parks and Recreation."

Which was read.

Also,

Bill No. 2443

A Resolution entitled, "Resolution providing for an Agreement or Agreements with Western Pennsylvania Police Athletic Association for the furnishing of professional services for the benefit of the residents of the City of Pittsburgh; and providing for the payment of the cost thereof not to exceed One Thousand (\$1,000.00) Dollars, chargeable to and payable from Code Account 1838 (183806) Miscellaneous Services, Recreation, in the Department of Parks and Recreation."

Which was read.

Also,

Bill No. 2472

A Resolution entitled, "Resolution providing for an Agreement or Agreements with the Pittsburgh Founders Celebration Council for operational/administrative expenses; maintenance; purchase of equipment; and/or minor rehabilitation of facilities, at a cost not to exceed \$12,000.00, chargeable to and payable

from Code Account 1838, Miscellaneous Services, Department of Parks and Recreation."
--(SPONSORED BY MR. FERLO)

Which was read.

Also,

Bill No. 2474

A Resolution entitled, "Resolution authorizing the Mayor and the Director of the Department of Parks and Recreation to enter into an Agreement or Agreements with the Pennsylvania Air National Guard 171st Air Refueling Wing/Civil Engineers in connection with its domestic action program in a capital improvement project in Schenley Park."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. O'Connor
Mr. Darkins	Mr. Onorato
Mr. Ferlo	Mr. Ricciardi
Michelle Madoff	Mr. Wagner
	(Pres't)

AYES 8 NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Mr. Onorato presented

Bill No. 2511

Report of the Committee on Public Safety for April 21, 1993 transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 2178

A Resolution entitled, "Resolution providing for an Agreement or Agreements with the Center For Emergency Medicine of Western Pennsylvania (CEM)/Infectious Disease Control in connection with Emergency Medical Services of Pittsburgh and providing for the payment thereof."

Which was read.

Mr. Onorato:

On Bill 2178, at the request of the Administration, I make a motion to table because instead of amending they created a new bill which will be on the table tomorrow.

Michelle Madoff seconded the motion.

WHICH MOTION PREVAILED.

Also,

Bill No. 2444

A Resolution entitled, "Resolution amending Resolution No. 559, effective June 5, 1990, entitled: 'Resolution authorizing and directing the City Controller to create a special trust fund, to be designated as the Special Events Cost Recovery Trust Fund (SECRTF), for the deposit of monies from special events, and authorizing

the use of monies deposited therein by the Department of Public Safety to cover premium pay for Police Personnel only,' by clarifying the special events which may generate the funds."

Which was read.

Also,

Bill No. 2445

A Resolution entitled, "Resolution amending Resolution No. 238, effective March 23, 1992, entitled: 'Resolution providing for the filing of an application with the U.S. Department of Justice for a grant in an amount not to exceed \$1.5 million in 'Operation Weed and Seed' funds for integrating law enforcement activities and social service programs in targeted high-crime neighborhoods; providing for the execution of grant contracts; creating a special trust fund in connection with the project; the deposit of the funds in a bank account and providing for the payment of expenses within categories,' by providing for transfer of certain funds from Operation Weed and Seed Trust Fund to the Special Events Cost Recovery Trust Fund."

Which was read.

Also,

Bill No. 2446

A Resolution entitled, "Resolution providing for an Agreement or Agreements with NeighborFair Pittsburgh, Inc., for National Night Out for services for the residents of the City of Pittsburgh during 1993 and providing for the payment thereof."

Which was read.

Also,

Bill No. 2447

A Resolution entitled, "Resolution providing for an Agreement or Agreements with the Sickle Cell Society for professional services and providing for the payment thereof."

Which was read.

Also,

Bill No. 2448

A Resolution entitled, "Resolution providing for an Agreement or Agreements with Pittsburgh Mediation Center Inc. for professional services and providing for the payment thereof."

Which was read.

Also,

Bill No. 2449

A Resolution entitled, "Resolution providing for an Agreement or Agreements with the Merwin Boulden II Foundation for professional services and providing for the payment thereof."

Which was read.

Also,

Bill No. 2450

A Resolution entitled, "Resolution providing for an Agreement or Agreements with Pittsburgh Police Historical Society for professional services and providing for the payment thereof."

Which was read.

Also,

Bill No. 2475

A Resolution entitled, "Resolution providing for an Agreement or Agreements with Consultant or Consultants to provide programming and technical support services for a computerized crime mapping system at a cost not to exceed Sixty-Five Thousand Dollars (\$65,000.00) and providing for the payment thereof."

Which was read.

Also,

Bill No. 2476

A Resolution entitled, "Resolution providing for the leasing from Spring Garden Neighborhood Council, Inc., (SGNC, Inc.), for a parcel of land and building located at 1013 Chestnut Street, Pittsburgh, Pennsylvania 15212, in the 23rd Ward of the City of Pittsburgh for a term of up to three (3) years, beginning on or about May 1, 1993, at no rental cost to the City. Spring Garden Neighborhood Council, Inc. will assume all utility costs along with supply and material costs associated with renovations/repairs to the structure. The City will assume all labor costs associated with repairs/renovations."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen

Mr. O'Connor

Mr. Darkins

Mr. Ferlo

Michelle Madoff

Mr. Onorato

Mr. Ricciardi

Mr. Wagner
(Pres't)

AYES 8

NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

MOTIONS AND RESOLUTIONS

The Chair:

I believe Mr. Ferlo has a resolution from earlier in the meeting.

Mr. Ferlo:

I have a few things but I'll raise that first, if you like.

Mr. Ferlo presents

No. 2518 WHEREAS, Duquesne Light Company and General Public Utilities have cooperatively initiated a power sale and transmission line project in the Commonwealth of Pennsylvania, known as the GPU-DQE Transmission Project, to transmit and sell electrical power to out of state customers; and

WHEREAS, Duquesne Light and General Public Utilities have committed themselves to investing \$500 million towards the successful completion of the project; and

WHEREAS, Duquesne Light and General Public Utilities have estimated that the GPU-DQE Transmission Project will result in 11,000 person years of construction related work and 1,500 permanent jobs; and

WHEREAS, the GPU-DQE Transmission Project has the potential to result in revenues and more stable electric rates for Duquesne Light customers and also has the potential to result in improved conditions for commercial and industrial development throughout Western Pennsylvania; and

WHEREAS, the GPU-DQE Transmission Project will return two idle power plants to productive service and will require an additional 1.6 million tons of coal annually, which will increase employment in the Pennsylvania coal industry.

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh hereby officially supports the GPU-DQE Transmission Project, provided Duquesne Light fulfills the following commitments to the residents of the City of Pittsburgh:

- 1) Duquesne Light will provide rate relief to its ratepayers following the completion of the GPU-DQE Transmission Project; and
- 2) Duquesne Light will not submit any rate filing requests with the Public Utility Commission to finance capital expansion or construction costs for the GPU-DQE Transmission Project and will finance all such costs through private or stockholder investments, not through its ratepayers; and
- 3) Duquesne Light will maintain its corporate headquarters in Downtown Pittsburgh; and
- 4) Duquesne Light will ensure that the Brunot Island Power Plant, and other idle power plants that are reopened, will fully will fully comply with all provisions of the 1990 Clean Air Act, as amended; and
- 5) Duquesne Light will develop additional

conservation fund programs for low and moderate income ratepayers; and

- 6) Duquesne Light will help contribute to the cost of an independent study to determine the health effects, if any, of electromagnetic field created by the GPU-DQE Transmission Project power lines.

Mr. Ferlo:

I would like to make a motion to approve this resolution which I did raise a couple of weeks ago. There was some concern expressed by some of my colleagues. We did communicate to the Duquesne Light Company and they did respond in a letter. Unfortunately, they copied some Members of Council but not all Councilmembers. I altered this resolution slightly in terms of some of its language.

Rather than read the lengthy document before you, suffice it to say that this is a general sense of Council, a formal resolution, whereby we would be supportive of Duquesne Light and General Public Utilities proposed transmission line which, as we know, is over 268 miles long running from Pittsburgh to Harrisburg, Pennsylvania. It would install a transmission line for the sale of excess energy to parts of the eastern shore. It would yield possibly \$1.1 billion in profits to Duquesne Light Company. Suffice it to say, there would be many jobs created, both short term in terms of construction activity. Certainly Duquesne Light obviously has a track record of hiring union contractors, paying the prevailing rate. These are good jobs. There are also obviously side benefits of other additional jobs that could be created as a result of increased utilization of electric power.

There may be a glimmer of hope regarding a fundamental issue, and that is the issue of utility rates, which I would argue strenuously as I have many times in the past, that

that actually, the high utility rates and electric rates by Duquesne Light in the past has actually served as a disincentive to maintain and keep local businesses in the Duquesne Light service area, particularly manufacturing companies who have a hard time paying a light bill.

The resolution here is basically a resolution to express a formal commitment from this Council communicating to the Public Utility Commission our support for the proposed transmission line. However, there are specific concerns that the resolution hopes to address, and that is that contingent upon our support or advocating our support we raised a number of issues. They are:

- 1) That Duquesne Light will provide rate relief to its ratepayers following the completion of the proposed transmission line.
- 2) That Duquesne Light will not submit any rate filing applications to the Public Utility Commission, specifically proposing to raise local rates of the existing ratepayers to pay for the capital construction costs of the proposed transmission line, but rather that those costs would come from investments, investors, the banking community, financiers, and/or the present stockholders who enjoy lucrative benefits from Duquesne Light, as opposed to having a CD down at Equibank.
- 3) That Duquesne Light will maintain its corporate headquarters here in the City of Pittsburgh.
- 4) That Duquesne Light would, as part of this proposal, in opening up the Brunot Island Power Plant and other idle power plants, that those plants obviously would conform to the 1990 Clean Air Act. These are concerns that we've raised only recently with the cement kiln dispute on Neville Island. The proposal here is that any new plants obviously should meet, and I

believe Duquesne Light communicating to us indicated that those plants would meet the 1990 Clean Air Act amendments.

- 5) That Duquesne Light would develop additional conservation fund programs for low and moderate income ratepayers. The presumption here is that if this company would make \$1.1 billion, that part of that commitment should not only go back to the ratepayers for rate relief, but also that this company, as well as any other company including the gas companies, have a formal obligation under the Public Utility Commission parameters to fund conservation programs, especially programs for low and moderate income homeowners in the City.

- 6) That Duquesne Light would help contribute to the cost of an independent study to determine the health effects, if any, of the whole issue of electromagnetic field which would be creation as a result of this transmission project, the power lines themselves.

I would note that even in Commissioner Foerster's support for this project, which Duquesne Light has published a number of statements of elected officials, I would note that even Commissioner Foerster explicitly states while he's supporting the proposed transmission line, he explicitly states, and I'd like to just read this quickly:

"Finally I'd like to address the concerns that some have expressed about the effect this project may have on the environment. One of the cornerstones of my governmental career has been sensitivity to the impacts of the works of man, how we affect the future of our planet and how we affect each other. I urge the members of the PUC to examine thoroughly the impacts of this project on human, animal and plant life. Contingent on a successful outcome of this review, I wholeheartedly support the Transmission Line Project and urge the PUC's

approval."

Again, he's using his pulpit much the same way that I'm proposing with this resolution to say, yes, we are supportive of an important economic development project that has some obvious benefits. But, at the same time, we do have a mandate and we have a concern as advocates and as local policy makers to be supportive of a project contingent upon what's in the best interests of our constituents here in the City.

I believe this resolution is a resolution that supports the project but clearly states the will of Council, and I think it's the will of a majority of City residents who, for a long time, have borne the burden of high utility rates, specifically electric rates. And at some point with the successful completion of this power transmission line, we would hopefully see that relief. And I think we need that commitment from this company and that's the context in which I'm offering this resolution.

I find it a little bit laughable that the Light Company in writing back actually writes back that they do support many of the points that are raised in this proposed resolution that's before my colleagues. But for them to close out their letter, which was a very arrogant letter, but setting aside that issue, they're writing to me, "You have an obligation to understand the complete picture. We don't believe that it serves the public interest for you to try to circumvent the deliberative and judicial process of the PUC with your so-called 'commitments'. Politics should play no role in such an important regional initiative."

Well, Duquesne Light Company, and Mr. von Schack himself, has actually been the one to play politics in terms of his entering the whole mayoral race. I did not do that. I have not prevailed upon Mr. Wagner. I have not prevailed upon Mr. Murphy. My issues have been

addressed here in these Council Chambers on an issue. Duquesne Light is the one that has made it mayoral politics. In fact, and I believe Mr. Wagner would comment on this, that they themselves have intervened in this whole mayoral race regarding this issue and who should be the Mayor of the City of Pittsburgh. My resolution doesn't deal with that. I've never attended any meeting to raise either to Mr. Wagner or to Mr. Murphy the issue of Duquesne Light.

I have a long tract record on Duquesne Light rate filings. On several occasions I have asked this Council to join me. On several occasions with the previous Mayor Caliguiri, as well as this Mayor, the Law Department has actually filed. Our own light bill has gone from \$7 million when I first got elected, to roughly \$12 million today.

So, it's an issue that I have a long track record, long before people started running for may and I would ask for consideration on the resolution.

Michelle Madoff:

Well, as usual, the arrogance of corporations is absolutely amazing to me. In the last election there was a letter sent out to all the constituents endorsing Mr. Wagner and taking me on saying that I wish to shut them down, which was never the case. Ever.

And now this letter is addressed to everyone but I am the invisible person. It's signed by an Edwina Anderson. I presume Edwina is a female; I don't know any male Edwina's. And the letter is addressed to Mr. Ferlo with copies to Wagner, Cohen, Darkins, O'Connor, Onorato and Ricciardi, so I guess she doesn't want to hear from females either. I know we're invisible to men but I didn't know we were invisible to females.

I read the letter and was appalled. I'm appalled because the letter starts off with, and I'm amazed, "Your draft resolution is, quite frankly, after the fact. Support is neither helpful or necessary." And then she writes a four page letter to Mr. Ferlo. You talk about a corporation having someone as a spokesperson who is stealing defeat from the hands of success.

I was one of the outspoken people when this resolution was put before the table outlining what I believe from my experience which is rather vast in environmental issues, that indeed Duquesne Light, we gave them the First Step Award that I personally, along with my Administrative Assistant, reviewed all the literature on the hazardous impact of the high tension line that I felt it probably was quite safe except for other problems that needed to be addressed, which are the lines coming into the house.

I didn't want to take on and deliberately appear that we were not in support of having this line across the state. Mr. Ferlo, if you read his resolution carefully, says, yes, we're with you. Yes, we think we need to have this line. Yes, we need to have the jobs. Yes, we support everything. But we are representatives of the public. And yes, we'd like a couple of answers. One of them is show us where the profits will be. I personally have read that they say we're going to save some substantive dollars and I have no reason to disbelieve Mr. von Schack with whom I have a fairly good relationship. But I'd like to have some documentation.

And, as I've said to my colleagues, of course I'm going to vote for the resolution. But as I've said to my colleagues, resolutions are that's nice too. It's like writing a letter to the Administration when you don't like what they're doing. Let's get some action here.

Can't we, through auspices of the Mayor, ask the PUC to get some answers for us? We need some answers. And I think the audacity, the gall, the insult, the terrible way the company has seen to represent itself by having this person by the name of Edwina Anderson answer Mr. Ferlo insults all of us by saying "Your draft resolution, quite frankly, is after the fact and neither necessary or helpful." I think if she worked for me she's be there 20 minutes, just enough time to pack her bag. And I send that message out loud to Mr. von Schack and company. They know that I have been very fair, very honorable and very honest in my dealings with them and I think that they do themselves a great service when they don't hire somebody who knows how to represent their company in an efficient manner.

And with that, I would just like to suggest that perhaps we send a request to the Mayor, the Law Department, asking if they would follow through on the resolution. Since the resolution, of course, is non-binding we can't make anybody do what they don't want to do, and see if we can get some reasonable dialogue going to give those people, the people sitting at this table and at the podium who represent the City of Pittsburgh residents, some answers. That's what we were elected for and that's what we should get. And I don't think the questions that Mr. Ferlo asked were unreasonable. And that doesn't mean that we are not in support, as he, himself, has stated.

But, again, I cannot believe that a company would write such an outrageous letter to a Member of Council and I think that they ought to rethink this Edwina person.

The Chair:

The most accurate thing that has been said is that this is a non-binding resolution and it's very important that the public understand that. This Council cannot mandate anything in regard to this. It comes under the Public Utility

Commission which is a state agency.

I'd like to read a response back to Mr. Ferlo and the reason why this resolution is doing nothing but create a negative atmosphere in regard to this transmission line.

"This project is a bi-fabricated proceeding before the PUC. In April of 1992, the PUC approved, after 16 months of testimony and review, a settlement agreement among various interested parties including the consumer advocate, the small business advocate, in the City of Pittsburgh regarding the ratemaking for the sale of 500 megawatts of power to General Public Utilities Corporation. In essence, the PUC ruled that the power is beneficial to the ratepayers. The PUC decision is a matter of public record and available to you.

The second part of the proceeding is still outstanding and has not yet been decided. The second part of the proceeding in front of the PUC is the siting of the transmission line itself to deliver power to the eastern part of the state and the eastern United States." In other words, where the transmission line should go.

I have indicated, and I'll say it again, I said it two weeks ago when Councilman Ferlo brought this up, I'm in support of this project. Clear and simple. It creates 2,000 jobs to this region, 2,000 quality jobs, \$15 to \$20 an hour. It will stabilize rates and possibly reduce rates within Duquesne Light Company. And that has been said by various people within Duquesne Light Company.

I know what it does do. It brings \$6 billion of money to Duquesne Light Company over 20 years. And \$6 billion of money into this region. If anyone in this room or anyone with any ounce of common sense is not in support of that, I have no understanding how they can truly say they represent the people of this City, of this

region.

This project, we worked long and hard in this region trying to get Sony to locate here. And Sony is supposed to be 2,000 jobs with millions of dollars of incentives, taxpayer incentives, taxpayer dollars, to get them here, in infrastructure investments.

We have a company right within this City right now that wants to create 2,000 jobs and is not asking for a penny from the public sector, and we have people balking at the proposal.

In my opinion, it is creating roadblock after roadblock after roadblock, and I will not be a public official that creates roadblocks. As a matter of fact, I'll be pro-active and I'll do what everyone in this region should be doing which is saying to the PUC, "Approve what is in front of you in its entirety. Make sure that the power company in Pittsburgh which has tremendous over-capacity because of a steel industry that declined in the 1980's can sell the over-capacity or the dollars to hold the line on rates in the future, to reduce rates in the future, but more importantly, create 2,000 jobs for Pittsburghers and people in Southwestern Pennsylvania.

To me, that sounds like a pretty good deal. And maybe there's some people in this room that don't think it's a good deal. Maybe there are some people running for Mayor, since you brought it up, Councilman Ferlo, that don't think it's a good deal. You're looking at someone that does, and I want to make that perfectly clear. I am not going to create a roadblock for the PUC to say no to this proposal. And that is in essence what everyone is trying to do right now, and I won't be part of it.

Mr. Onorato:

Let me start off by reiterating that I, too, fully support this bill. I think we're a lot closer

than the arguments are going here. This resolution supports the establishment of expansion of these lines across the state.

We've had two weeks to look at the points that Mr. Ferlo brings up, and I have been going over them, and my name is actually on this letter that was sent back from Duquesne Light in full support that the union and representatives from the company approached us with. And I am in full support of the project.

However, let me state that some of these points that are listed here, 1 through 6, are very valid point.

I want to make it clear. We're dealing with Duquesne Light. Duquesne Light is regulated by the PUC. This is not US Steel or a private company. This is a quasi-government company. We are the ratepayers and the PUC is a public facility for us to go and air our complaints, and we do have an input here.

Let me also reiterate the point that the union and the company approached Councilmembers and elected officials for their support and I think it's only fair that that goes both ways. And when I look at these six points, there's some points in here that I consider very, very important. One, obviously, Brunot Island which is in my district on the North Side. How many times in the 15 or 16 months that I've been here have we addressed the issue of the effects on Brighton Heights? We have Kosmos that we're appealing and hopefully will be squashed for tire burning. We have Alcosan over there, and now we have an island in between those two facilities, and I'm still in favor of this because it's that important for this region.

All we're asking here is that they comply with the 1990 Clean Air Act. A lot of these points were addressed in that letter.

The other point we have here are the rate reliefs, which they address, and that our rates stay low and that we don't pay for this expansion, that it's private and stock holder investments that pay for it. The fact that we are ratepayers, they might not be asking for any tax dollars, but indirectly they are receiving dollars from the public, people that I represent in my area, if the rates go up. So, it might not be a tax but it's a back door tax if the rates go up.

I'd also like to mention No. 3, corporate headquarters. I think it's important that we address that issue because everyone knows the argument that took place a few years ago that they threatened to leave and go to a suburban site. I think the worst thing that we could do at this time is just blindly support the PUC and Duquesne Light without at least saying this is what we'd like to see.

As you stated, Mr. President, this is not binding. That means if we pass this and they come back and say, "We have to raise our rates" or "There's a problem on Brunot Island", all they do is explain why they're changing and they're not applying to 1 through 6, and they do not have to abide by this. It just gives us a way to say, "Okay, why do you have to raise the rates? Can you at least explain?" And maybe they have a legitimate reason. I don't know.

But I think the point that's being made here today is that we have a quasi-government entity here. We're all supporting the growth but it doesn't hurt for the City of Pittsburgh to say, "You've made a fortune over the last 40 years with our steel industry. We'd like you to keep your headquarters here in Pittsburgh." The worst thing that could happen is that this goes through, the headquarters leave, the rates go up, Brunot Island becomes an environmental disaster, and before you know it, the City gets nothing, the donut around the City gets everything, and the employment is all outside the City.

This is a two-way street. I don't see this as counter productive or stopping it. I just think that it's something that we can actually say to Duquesne Light, "We're behind you 100 percent." This is a Western Pennsylvania project, this is what the City of Pittsburgh thinks and we'd like to see you do. Let's go get it. And keep it positive.

I don't want this to be perceived as a roadblock; I think it's six points that have to be addressed. It's non-binding. We go on the record. If they have to change one of them, then they explain why and we all know why. But it moves forward.

Mr. Ferlo:

Let me just try to respond to some of the general philosophical policy statements you've alluded to, Mr. Wagner, and then specifically some of the points.

Historically, when you look at the public investment around the VW Plant, since you point out the Sony Plant, the total public dollar investment to the VW Plant was \$81 million for a plant that stayed here less than a decade. I think you could reasonably argue as a matter of public policy debate whether or not it would be more appropriate to have spent \$1 million for 81 smaller businesses in terms of actually creating and retaining jobs versus the massive hoopla of the VW Plant.

That's a legitimate issue that people should research and that's something that's legitimate to argue about in terms of how we do investment and how we actually assist private capital in this region. I think there's reasonable debate there regarding whether or not you put a large sum of money in just one plant or whether or not it's legitimate, in the case of the VW, to look at other kinds of strategies such as the Ben Franklin

Partnership which hopes to support many smaller kinds of economic development initiatives with smaller amounts of capital. That's a legitimate thing that we need to talk about.

The reason why Duquesne Light has over-capacity is because they embarked on a grandiose notion throughout the '70s of building up to 7 nuclear power plants. And the PUC, to a large extent, rubber stamped those expansion projects. And, in fact, that expansion and the plants that were built, were built off the backs of City and Western Pennsylvania ratepayers of Duquesne Light. We are the ones who financed their over-capacity. In peak load August month in the City of Pittsburgh, Duquesne Light have 45 percent over-capacity. Yes, there is over-capacity. There's a reason why there's over-capacity. It has to do with mismanagement. It has to do with wrongly forecasting what this region's need were going to be in the late '70s into the '80s. And now we have that. And we're saying we're the ones who paid for that with high rates for more than a decade. Those high rates have caused disinvestment. Duquesne Light's high rates have encouraged other businesses to move outside of Duquesne Light's ratepaying region to West Penn Power and elsewhere. And that's a matter of record, if you begin to review some of the companies.

If an elderly person in the City has \$1,000 in the bank or buys a CD, they're lucky if they get 3 or 3-1/2 percent return. The stockholders and people who benefit and own Duquesne Light have upwards of 10, 11 and 12 percent return on their investment.

So we're saying, if this expansion takes place and \$1.1 billion is generated, is it wrong for us to say that some of that accrued benefit should return back to the people who helped create the financial condition that this company is in in the first place? I think that's a very reasonable, fair policy that elected officials should take. Period.

And I think the proclamation, the resolution is supportive, but it's supportive saying let's be realistic. And if there are accrued benefits, let those accrued benefits come back to the people who have been bearing the burden of those rates over the years.

Michelle Madoff:

As someone who has dealt with Duquesne Light since 1969, and our heyday was in '70 and '72, I have a long history with working with them and I feel we nurtured them. We brought them along. And if you'll excuse the pun, we got them to see the light. We dealt with their problems of peak loading, brown outs, spinning reserve, etc., etc.

The issue today is really more fundamental. The issue is that there's an expression called "taking a bite of my sandwich". That means that if Mr. Ferlo says, "I support having the line, I agree that it will create jobs", he reiterates all the positive things and then, Mr. President, respectfully, you turn around and say exactly what he just said. You say, "No, you're wrong but what it will do . . ." and it's exactly what he just said it was going to do.

I think that that doesn't help anything and it also doesn't help when we get Duquesne Light sending sarcastic letters back to this Council. The fact remains that they are, in essence, a quasi-governmental agency. They should be responsible to the public. They need to have meaningful dialogue with the representatives of the public.

You did not say anything that most of us have not said that we'd like to see the expansion and for the reasons we'd like to see it and hopefully with the understanding that it would be safe and that it will save rate dollars. All we want to do is have some dialogue and see the evidence.

Let me remind everyone if they have forgotten. For years and years Duquesne Light said, "Can't afford to clean up. It's too costly." Until we said, "Open up your books." And when they opened up the books they sent us notes and said, "Well, it cost us 5 percent to clean up." Then it was 7 percent. But, meanwhile, they were saying that the whole cost of our rates going up on Duquesne light were due to environmental issues. Well, you know your bill has gone up 500,000 percent. Unbelievable. And a very small portion of it has been environmental.

I'm just suggesting that in order for them to have a good community relationship, what's the problem with sitting down and having some respectful dialogue instead of nasty, sarcastic letters that are offensive.

Mr. O'Connor:

I'd like to pick up on that point. I think Michelle is absolutely right and I think Jim is right. In the '70s we paid for their mistakes and we're still paying for their mistakes. But this is a new day and they're showing us in their response letter that they're lowering their rates 3 percent this year and 8 percent next year and an additional billion dollars worth of savings if this thing goes through.

I know, Jim, you corrected yourself but they got the first response and not the second. They do have a low to moderate income rate. You can pitch in a dollar and they do help low income people. And I think that we would all agree that Duquesne Light is probably the best corporate sponsor of any Pittsburgh events. No matter what they are, they're very supportive. This is the way to lower their rates and they're showing here they're going to do that.

Michelle, you're antagonized by this letter, the response back. I feel when they saw the first copy, they were antagonized. As you said,

let's start dialogue with them.

I can tell Mr. Onorato is married because he said, "I would like Duquesne Light to stay in Pittsburgh."

Mr. Ferlo is a bachelor and I would put it this way. The way I read this proclamation, if I went home and told my wife, "You will cook dinner and you will have spaghetti and you will . . ." -- You know how much dinner I'm going to get tonight. Like nothing. And that's where I think we're antagonizing by this type of resolution.

Michelle Madoff:

Her letter is offensive.

Mr. O'Connor:

I agree, so now we're both offensive. Our proclamation, they took it offensive. They're sending a negative letter back.

I think before we pass this type of resolution we're all behind it. A lot of us may have asked some of these questions and they've answered them. I think Jim agrees that they've answered some of these questions. Why put them in a proclamation? Why not start dialogue before we send you wills and you won'ts?

The Chair:

The greatest potential for job growth exists with existing companies. It's not by attracting new companies here. And the real commitment the government has to make is to find out ways to work with companies so that they can grow in this region.

It's ironic that, Mr. Ferlo, you talk about Duquesne Light Company having 45 percent over-capacity and that being mismanagement.

But do you also know that the City of Pittsburgh Water Department has approximately 45 to 50 percent over-capacity also? And the natural gas companies in this region have the same type of over-capacity. And the reason being is quite simple. It's that the industrial climate that was here 15 or 20 years ago is not here today. The City of Pittsburgh, Duquesne Light, the gas companies and everyone built to make sure that they could supply those industries that were here.

The Brunot Island Power Plant that Mr. Onorato talks about being the only power plant is a natural gas fired power plant, is as environmentally clean as you can find in a power plant.

Michelle Madoff:

Thanks to GASP.

The Chair:

Thanks to everyone. Thanks to the community. Thanks to GASP. Thanks to the regulatory agencies. Thanks to Duquesne Light. Thanks to the customers that paid for it. But it is environmentally clean.

The transmission line that is to be built in this project is not to be paid for by Duquesne Light but by general public utilities.

So, all they want to do is sell their power.

My point can't be clearer, and Mr. O'Connor is right on target when he says that the attitude of this government and the attitude of certain elected officials is not conducive to the growth of companies in this City and this region.

And, Mr. Ferlo, that's what you're trying to create, an environment that is not conducive to growth of companies. And, quite frankly, I will not be part of it.

What should have happened with this resolution, you should have gone and sat down with people and found out more about what they were proposing to do. You should have called the PUC and found out more about what they were proposing to do. But you preferred to come into this Council Chamber and grandstand on the issue. And when 2,000 jobs are at stake for this region, and I see the unemployment lines in this City, when there's 2,000 quality jobs that are labor jobs at \$15 or \$20 an hour —

Mr. Ferlo:

I appreciate your grade school lecture, Mr. Wagner and you can grandstand now for they Mayor's race.

The Chair:

This is a quality project.

Mr. Ferlo:

There's a difference between being supportive of a corporation and a lap dog for a corporation. And that's what you're proposing.

The Chair:

No, this is a quality project. It's 2,000 jobs.

Mr. Ferlo:

How many fundraisers did Duquesne Light Company have for you?

The Chair:

Zero.

Mr. Ferlo:

Bullshit!

The Chair:

Zero.

And you're out of order, Mr. Ferlo.

Mr. Ferlo:

And you're a liar.

The Chair:

You are a liar.

Mr. Ferlo:

You're a liar. You're characterizing this resolution as something that it's not.

The Chair:

It's grandstanding.

Mr. Ferlo:

It's a reasonable resolution.

Mr. Ricciardi:

The argument is not complex for me at all. It's rather simple. I, too, support the transmission lines, one, because of economic development and growth, and also because of jobs and the potential. But I don't support it unconditionally. I support it with certain guidelines. One very important criteria for me is an independent study to determine the health effects of our neighboring counties throughout Pennsylvania, and also of our neighboring suburbanites. I think it's very important that we in no way benefit at the cost of someone's health.

That's one of the criteria.

Also, I support the transmission line, but I support it with the criteria that one will directly affect our rate hikes, that our ratepayers will not pay for the transmission line. This is a capital expenditure, one that I believe that the shareholders, the stockholders, should pay for.

So, again, for me it's rather simple. I support the transmission line but not unconditionally. I'm very concerned about the health benefits of the surrounding counties and I'm also very, very concerned about who is going to pay for it and how it will affect the rate hike.

I believe the resolution before us is a very positive resolution. It's not one that in any way is detrimental to the process, but it's really one that we let the PUC know what our position is and what it's based on.

So, I will be voting yes on this resolution today.

Mr. Darkins:

The only thing I want to state is that I think it was very disrespectfully, Mr. President, to have sent the rest of the colleagues on Council a copy of this letter from Duquesne Light and they left out our colleague, Michelle. If they're playing games or whatever, I just think that's very distasteful. She's elected, as the rest of us here on Council, and not to have included her changes my whole opinion and I'm ready to vote.

The Chair:

I agree with you in regard to that.

Mr. O'Connor:

If we're serious about doing anything with this, instead of making it a political football,

which maybe it's starting to, why don't we, instead of sending a message, and Mr. Ferlo, I'm asking you to have a meeting with Duquesne Light and some of its representatives including this young lady, and get the answers. You're antagonizing business with this proclamation.

Mr. Cohen:

I'm going to abstain until I get a lot more information.

Michelle Madoff:

This is a supportive legislation. There's nothing evil; it's just asks for interaction.

The Chair:

Is there any further discussion on the resolution?

And on the question, "Shall the resolution pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Darkins
Mr. Ferlo
Michelle Madoff

Mr. Onorato
Mr. Ricciardi

AYES 5

NOES none

(MR. COHEN, MR. O'CONNOR AND MR. WAGNER ABSTAINING)

And a majority of the votes of Council being in the affirmative, the resolution passed finally.

Mr. Ferlo:

On another issue. I'd like to make a motion to televise the two public hearings on Thursday.

The Chair:

There are four on Thursday.

Mr. Ferlo:

What are the other public hearings? I was talking about the great controversy of the light bulb and —

The Chair:

I believe they're the two afternoon hearings in regard to the City services.

Mr. Ferlo:

The tiller truck and the light company.

The Chair:

There is a motion to televise the two hearings regarding the City related issues.

Michelle Madoff seconded the motion.

WHICH MOTION PREVAILED.

Mr. Ferlo:

One last item, very briefly. Could we get a clarification very quickly, maybe Mr. O'Connor knows the answer to this. I wanted to talk to you before the meeting.

My understanding is that there's a problem or some conflict regarding the hope that ABC would televise the Penguin game on Sunday versus the traditional Marathon event

which is happening. The conflict being the use of the parking lot and there is some dispute as to whether or not ABC now will not be able to televise the Penguin game, ABC obviously wanting the game in the afternoon as opposed to the evening schedule which is right now the scheduled game.

I would like to see us have our cake and eat it too. I would like to see ABC televise the game. That does require the game being moved into the afternoon. I can't understand why we can't find some other streets above the Arena for the appropriate parking and bus the runners back down to Butler Street.

I make a motion that somehow we communicate to the Mayor's Office to immediately communicate back to us a resolution so that we can do both the ABC televising which would really showcase the City in the afternoon, and at the same time maintain the event of the Marathon.

Mr. O'Connor:

I think most of the Marathon should be over by 12:00 or 1:00.

Mr. Ferlo:

Apparently there's conflict and I'd like to see a way that the parking can be provided. The Public Works Director has the power to close streets, if need be, and I would like to see a resolution to this.

So, my motion is that we communicate very quickly to the Administration and encourage them to find alternative parking, if need be, so that the Marathon can go on and as well we can accommodate ABC's request to televise the Penguin game in the afternoon.

Mr. O'Connor seconded the motion.

WHICH MOTION PREVAILED.

And on the motion of Mr. Cohen

Council adjourned.

MUNICIPAL RECORD

Proceedings of the Council of the City of Pittsburgh

VOL. CXXVII

Tuesday, May 4, 1993

No. 18

Municipal Record

ONE-HUNDRED TWENTY-SEVENTH COUNCIL

JACK WAGNER President
MICHAEL PERRY City Clerk
LINDA M. JOHNSON-WASLER Asst. City Clerk

Pittsburgh, PA
Tuesday, May 4, 1993

PRESENT:

MR. COHEN	MR. O'CONNOR
MR. DARKINS	MR. ONORATO
MR. FERLO	MR. RICCIARDI
MICHELLE MADOFF	MR. WAGNER
	(Pres't)

The Meeting was opened by the recitation of the Pledge of Allegiance to the Flag of the United States of America, and a moment of silent prayer for peace throughout the world.

I pledge allegiance to the Flag of the United States of America and to the Republic for which it stands, one Nation, under God, indivisible, with liberty and justice for all.

PRESENTATIONS

Mr. Cohen:

Members of Council, I'm very happy to read the following proclamation for the United Cerebral Palsy Association of Pittsburgh.

Mr. Cohen presents

No. 2554 WHEREAS, all people of Pittsburgh, including those with disabilities, have skills and talents that are assets to our City; and

WHEREAS, a community that appreciates diversity is a more enriched community; and

WHEREAS, The United Cerebral Palsy Association of the Pittsburgh District strives to support people with disabilities as they participate in the community by providing them with an environment that promotes self esteem and self confidence; and

WHEREAS, the UCP facility at 4638 Centre Avenue also provides services to the larger community such as offering courses in financial management and other areas in the UCP Centre for Personal Development and serving as a polling place for the Oakland area; and

WHEREAS, UCP of Pittsburgh has worked for the past 42 years toward a more inclusive community.

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh recognizes and supports the UCP mission, "Working Towards A Community Where Each Belongs" and proclaims this mission as vital to the betterment of our community; and

BE IT FURTHER RESOLVED, that City Council hereby proclaims May 4, 1993 to be United Cerebral Palsy Association of Pittsburgh Day in the City of Pittsburgh.

Mr. Cohen moved to adopt the resolution.

Mr. Darkins seconded the motion.

Which motion prevailed.

Mr. Cohen:

The United Cerebral Palsy Association, as this proclamation says, has been working for over 40 years toward a community of inclusion. And there really are three major goals that they're working towards and we'll have two very important members of that community speak to us about it. But one is accessibility. We all know about the Americans With Disabilities Act at the Federal level that was passed, but we have a long way to go to make the letter and spirit of that law become a reality here in Pittsburgh. One small example is that there are many, many corners in the City of Pittsburgh that still do not have curb cuts that would not allow people with disabilities to be able to use those.

Two, is employment. Mr. Al Condelucci made a point in a letter to me recently that people with disabilities are perhaps the most unemployed and underemployed people in the United States today and we need, absolutely need, to give people with disabilities a chance for good positive employment.

Third is community, and that's really

what this proclamation is all about, and that's what the United Cerebral Palsy Association is all about, becoming a part of the community and promoting community, and they do that really very, very well.

Please visit their place at 4638 Centre Avenue if you haven't already because it is a community in itself. It not only is a place where people with disabilities have programs, a wide spectrum of programs, but people come to take classes. It's a polling place for that area which happens to be in my district, and it really is a very, very important part of the community.

I'd like to introduce some of the people who are here today and then present this proclamation to Lucy Spruill. First, we have Mr. Al Condelucci, the Executive Director of United Cerebral Palsy. I think all of you probably know Mr. Condelucci. He is a human dynamo and really somebody with terrific energy and somebody who is doing a terrific job as head of this organization. Lucy Spruill is Chairman of the Government Action Committee, a Boardmember, of course, of United Cerebral Palsy, and I'm very happy to announce that Lucy is starting in June, June 7th will be the Americans With Disabilities Act Coordinator for the City of Pittsburgh and we're very, very proud to have you in that position, Lucy. We also have Janet Evans who is Vice President of the Board; Eric Sutliff, Boardmember; Thomas Kierney, Boardmember; Edward Lawrence, Boardmember. We have several members of the UCP staff here. Mary Lou Busby, Janet Bayfield, Thomas Cloherty, Carol Litzinger, Charlene Kitzinger, Jim Little.

And we also have several members of a class here today that is studying advocacy issues. We couldn't get them to come up here, I guess, but I'd like to read their names. Sherri Cescare, Paul Jaffe, Bill Ruffing, Ed Hahn, Roger Morgan, Mark Yockey, Tom Herover, Doug Newberger,

Scott Keifer, Jim Peskin. Other members of the staff are in attendance today. Paul Heckathorn, Warren Morgan, Nicole Talerico, Jill Summer, Lori Ferris and Shawn Purdy. I hope I didn't get too many of those names wrong.

It's a pleasure to have all of you here today because you're doing such a fantastic job and I would like to present to Lucy Spruill this proclamation on behalf of the City Council of the City of Pittsburgh. Congratulations, Lucy.

Ms. Spruill:

Thank you very much, Councilman Cohen, for this recognition of the work of United Cerebral Palsy in creating for the past 40 years the expanding possibility of a community where each belongs. Thank you very much not only for this recognition but your ongoing support and the ongoing support of all of City Council for our efforts in this community.

We at United Cerebral Palsy are really truly committed to having a community such as President Clinton has cited where no one's gifts are ignored or wasted. We feel that this will make Pittsburgh even more the Most Livable City in America. We want to, in addition to having Pittsburgh be the Most Livable City in America, we want Pittsburgh to be the most accessible City and the most inclusive City in America. And I do believe that we in Pittsburgh have shown over and over again that we can do anything we put our minds to. Thank you.

Mr. Cohen:

Thank you, Lucy, and we all look forward to working with you once you become employed by the City of Pittsburgh to do just what you talked about.

Finally, I'd like to ask Mr. Al Condelucci to speak as well and to tell us about some of the

events that are coming up.

Mr. Condelucci:

Mr. President and Members of Council, thank you so much for this honor that you bestow upon us today.

As Lucy indicated and Councilman Cohen, we still have a lot of work to do in terms of reaching a goal of inclusion.

We're delighted to have the opportunity to bring this back to the forum to raise all of our consciousness about the gifts, the talents, of all of our members of Pittsburgh and Allegheny County.

The City of Pittsburgh and this Council has really been very supportive of our organization over the many years and most recently with some community development funds that you made available to us in order to make our center truly a community center serving the Bellefield area of Oakland.

We look forward to the opportunity to have that center become a very lively and engaging part of that neighborhood so that people have a place to go and that there are ways that individuals can exchange gifts.

I just wanted to tell you a couple quick things about some events we have coming up and hopefully the Council can be supportive of those. The first event is a Mystery At Monte Carlo at the William Penn on May 21st. We have in your packets an invitation to that event. Our own Councilman Cohen will be among the cast members along with some other, Pittsburgh notables and dignitaries. It should be a fun event and we hope that you'll find clear to be able to join us on that.

The other event that I'd like to call your

attention to is on June 18th. On June 18th there is a national effort on behalf of UCP around the country to go casual for a cause. And we hope that City Council will take us up on a challenge of using that day. That's a Friday, right before the first day of Summer, June 18th, for a small donation to UCP and our work toward inclusion to dress down, get back in those jeans, Jim, and we'll have a chance to be casual for a cause.

There is some information on both of those events in our packets and I didn't want to miss the opportunity to invite you to join us on that celebration.

So, really on behalf of the Board of Directors, our President, Irene Nelson who had to be out of town today, the members of our Board who are here, the other members who are not here, certainly my colleagues that I work with daily, thank you so much for this honor. We look forward with working toward City Council to make Pittsburgh the most inclusive City in America. Thank you.

Mr. Darkins:

Do you want to give them the telephone number that they can call?

Mr. Condelucci:

Absolutely. We're at 683-7100.

Mr. Darkins:

I want to commend not only Cerebral Palsy but our colleague here on Council, Dan Cohen. You're in the right direction here, Dan. I have had my experience with the Cerebral Palsy when I served as the Deputy of the Clerk of Courts, Jack Kyle, we were supportive. We raised yearly ten grand through the Clerk of Courts Office alone. It had nothing to do with the rest of the City of Pittsburgh. And I can

remember down in McKees Rocks when we had our Monte Carlo Night. So, what's happening, I know all about it and it's a good cause.

And I would encourage those that are looking at this on cable today that you would be supportive of the 21st. Often times we see people of this nature and this condition and you say to yourself, "How can I help?" This is the time to help and that number again to call is 683-7100.

The Chair:

And we look forward, Lucy, to you being the ADA Coordinator for the City of Pittsburgh.

Thank you all for being here.

Mr. Darkins presents

No. 2555 WHEREAS, William Buzz Robinson, owner and operator of the Crawford Grill located on Wylie Avenue in the Hill District, will be honored on Sunday, May 2, 1993 by the Jazz at the Hill House Organization; and

WHEREAS, Buzz, as he is known throughout the Pittsburgh community, is an avid African art collector, and the son of the late Joseph Robinson and Lyda Price Robinson; and

WHEREAS, William Buzz Robinson was born in Pittsburgh and attended the Pittsburgh Public Schools and furthering his education at J.C. Smith and Virginia State Colleges; and

WHEREAS, William Buzz Robinson is the father of two sons, William Price Robinson who lives in Pittsburgh, and Joseph P. Robinson who resides in New York; and

WHEREAS, in recognition of his commitment to better the Hill District community, the Jazz at the Hill House

Organization bestows the Stanley Turrentine Award.

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh hereby recognizes the outstanding achievements of Mr. William Buzz Robinson and hereby proclaims Sunday, May 2, 1993 as "Will Buzz Robinson and Jazz at the Hill House Day" in the City of Pittsburgh.

Mr. Darkins moved to adopt the resolution.

Mr. Ferlo seconded the motion.

Which motion prevailed:

Mr. Darkins presents

No. 2556 WHEREAS, on May 1, 1993 Homewood A.M.E. Zion Church members and friends will gather at an Appreciation Dinner in Oakland's Holiday Inn to honor Francis J. Samuels for his dedication to God and commitment to encourage others to sing praises with joy and inspiration; and

WHEREAS, in 1964 Francis J. Samuels accepted the position as Homewood A.M.E. Zion Church Organist; and

WHEREAS, in addition to Organist, Francis J. Samuels directs three choirs that are known nationally for their spirit lifting voices; and

WHEREAS, by appointment, Francis J. Samuels has served 20 years as Organist for the Allegheny Conference of the A.M.E. Zion Church and 21 years as Musical Director for the Miss Black Teenage Pageant; and

WHEREAS, Francis J. Samuels' musical talents were realized at age 5-1/2 and developed through junior high school continuing with piano

and violin training; and

WHEREAS, at Capitol University Lutheran Conservatory of Music in Columbus, Ohio, Francis majored in music, and while serving in the U.S. Armed Forces studied with Professor Hann Ulm, Organist of the Dome Cathedral, Berlin, Germany; and

WHEREAS, for 28 years Francis has held employment with Carnegie Mellon University H. John Heinz III School of Public Policy and Management Admission Office.

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh salutes Francis J. Samuels for his devotion to his craft and further extends well wishes for continued success as he delivers the word of God through music and encourages others to appreciate the joy and greatness of song.

Mr. Darkins moved to adopt the resolution.

Mr. Ferlo seconded the motion.

Which motion prevailed.

Mr. O'Connor:

We have with us today Clara Kaylani from the Beechview Senior Center. Clara will be 94 in July. And Nancy Gratton is the Center Director.

Mr. O'Connor presents

No. 2557 WHEREAS, during this month of May, the Nation will observe "Older Americans Month" in recognition of the vital contributions Senior Citizens have made in communities across this great country; and

WHEREAS, the City of Pittsburgh's Citiparks Senior Center Program will participate

in this national observance through it's "Senior Center Week" from May 10 through May 14, 1993; and

WHEREAS, recognition is due to those Senior Citizens who participate in the City of Pittsburgh's Citiparks Senior Center Program and who utilize this program to promote and provide mutual support, companionship, recreation and independence; and

WHEREAS, special recognition is due to those members of Citiparks' "Over Ninety Club", who are active participants in Senior Center programs up to three times per week. The members of these clubs serve as shining examples to all Senior Citizens that life in their golden years can be fulfilling and meaningful; and

WHEREAS, this Council hopes that the Senior Center Program will continue to promote the health, wellness and independence of the Senior Citizens residing in the City of Pittsburgh and encourages and welcomes participation by all of the City's Senior Citizens.

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh wholeheartedly supports the observance of "National Older Americans Month" and Citiparks' "Senior Center Week". This Council is also grateful to all those Senior Citizens who have given of themselves throughout their lives for the betterment of this great nation and the City of Pittsburgh; and

BE IT FURTHER RESOLVED, that the week of May 10 through May 14, 1993 be declared "Citiparks Senior Center Week" in the City of Pittsburgh.

Mr. O'Connor moved to adopt the resolution.

Mr. Onorato seconded the motion.

Which motion prevailed.

Mr. O'Connor:

I'm very fortunate. In Parks and Recreation we get to visit a lot of the Senior Centers. In fact, I was with Bishop Darkins in the Homewood Center and if you're fortunate enough to be there when he's there, he actually plays the piano and sings to the group.

So there's a lot of activity going on in our centers and I urge all of you, all seniors who aren't active, to please come in and see what you're missing. There's a lot of programs available.

Do you want to tell us a little bit about what's going on this week? Come on up here.

Ms. Kaylani:

If we didn't have places like this to go to, I don't know what we would do because it gets us out of the house and in with other people. And if you associate with other people, I think it keeps you young. We have meetings over there almost every day. There's something going on in Beechview, and I am happy to accept this citation in honor of our group. Thank you.

Ms. Gratton:

President Wagner and Members of Council, thank you very much. I would like to say as a staff member on behalf of this staff and the seniors, thank you very much.

Senior Center Week is the week of the 10th. We will be performing, we have a drama group that will be performing at the focal point. So we want to invite all of you to attend at least one of the focal points that week to see our presentation.

This Friday in the lobby of the City County Building from 11:45 until 1:00 we have the kickoff program for Older Americans Month. I truly would like to see all of you down there. We will be recognizing an important senior who has dedicated many hours and a lot of their efforts to the program. And we will also be honoring those members who are 90 and older. They may be 90 years of age in figures, but they truly, truly are young at heart.

We certainly invite all of you down. Thank you so much.

Mr. O'Connor presents

No. 2558 WHEREAS, on May 1, 1993, to pay tribute to Patricia Wilde's ten-year anniversary with the Pittsburgh Ballet Theatre, "The Wilde Years" will be performed by dancers from Pittsburgh Ballet Theatre, American Ballet Theatre, New York City Ballet and Boston Ballet; and

WHEREAS, this spectacular performance will provide a visual history of Patricia Wilde's life, reflecting on her legendary 25-year career as a major performer and teacher, and honoring her for her triumphs as Artistic Director of the Pittsburgh Ballet Theatre since 1982.

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh, in recognition of Patricia Wilde's significant contributions to the cultural life of Pittsburgh as Artistic Director of the Pittsburgh Ballet Theatre, does hereby salute her tenth anniversary with the PBT, and wishes her much continued success as one of Pittsburgh's leaders in the arts; and

BE IT FURTHER RESOLVED, that the Council of the City of Pittsburgh proclaims May 1, 1993 as "Patricia Wilde Day" in the City of

Pittsburgh.

Mr. O'Connor moved to adopt the resolution.

Mr. Ricciardi seconded the motion.

Which motion prevailed.

Mr. Onorato presents

No. 2559 WHEREAS, John A. Auburn, Jr., Harold Jones, III and J. Patrick Jones have been involved in scouting for approximately eight years; and

WHEREAS, the scouts have worked their way up from Cub Scout to Weablo Scout to Boy Scout; and

WHEREAS, John A. Auburn, Jr., Harold Jones, III and J. Patrick Jones are members of Troop 24, Troy Hill, and have earned the distinction of becoming Eagle Scouts, going above and beyond all requirements, including 60 hours of service and earning 38 badges; and

WHEREAS, the boys have earned their 60 hours of service by cleaning, planting and maintaining the church yard of St. Boniface Church; and

WHEREAS, a very small percentage of the boys involved in scouting ever attain the rank of Eagle Scout.

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh recognizes the dedication, hard work and effort but forth by John A. Auburn, Harold Jones, III and J. Patrick Jones in their attainment of the rank of Eagle Scout.

Mr. Onorato moved to adopt the resolution.

Mr. Ricciardi seconded the motion.

Which motion prevailed.

The Chair presents

No. 2560 WHEREAS, on May 1, 1993, the Pittsburgh Chapter of the National Political Congress of Black Women, Inc. is hosting their First Annual Spring Celebration Symposium and May Pole Wrapping; and

WHEREAS, the National Political Congress of Black Women, Inc. is an independent, non-partisan political organization, founded in 1984 in Washington, D.C. to promote the participation of Black women in the political process as voters, candidates, policy makers, fundraisers and political role models; and

WHEREAS, the Pittsburgh Chapter of the NPCBW was organized in August, 1992 by Cathryn L. Ivis and Thelma June-Rodgers to bring Black women of Pittsburgh into leadership positions in local and American politics; and

WHEREAS, the Spring Celebration Symposium will welcome to Pittsburgh the National Founders of the NPCBW, the Honorable C. DeLores Tucker and the Honorable Shirley Chisolm, a former member of the U.S. House of Representatives and Presidential candidate; and

WHEREAS, the Symposium will also welcome Mrs. Portia Perry-Dempsey, the Founding National Executive Director of the NPCBW, and will feature the Honorable Harris Wofford, Pennsylvania U.S. Senator.

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh does hereby welcome all guests of the National Political Congress of Black Women, Pittsburgh Chapter, to the First Annual Spring Celebration Symposium and May Pole

Wrapping; and

BE IT FURTHER RESOLVED, that the Council of the City of Pittsburgh does hereby commend the National Political Congress of Black Women, Inc. for their dedicated efforts in organizing Black women for political achievement and empowerment.

Mr. Cohen moved to adopt the resolution.

Mr. Darkins seconded the motion.

Which motion prevailed.

Mr. Cohen presented

No. 2519 Resolution Repealing Resolution No. 854, Item K, effective July 13, 1992, which authorized the sale of property in the 12th Ward, being a vacant lot 55.5 x 113.5, located at 814 LaSchall Street, designated as Block 125 G, Lot 268, to Mark Ridley, for the sum of \$750.00. The reason for the above repealing Resolution is that the purchaser failed to comply with the Agreement of Sale. He did not provide a title report. (Council District #9)

Also,

No. 2520 Resolution Repealing Resolution No. 53, Item E, effective February 10, 1992, which authorized the sale of property in the 10th Ward, being a vacant lot 62.49 x 87.42 x 41.63 rr, located at 6502 Butler Street, designated as Block 121 A, Lot 19, to Joseph B. Bates and Kathleen Bates, for the sum of \$600.00. The reason for the above repealing Resolution is that a defect in the chain of title was discovered. (Council District #7)

Also,

No. 2521 Resolution providing for the filing of a petition or petitions for the sale of

certain property or properties, acquired at tax sales in accordance with Act No. 171 of 1984, "Second Class City Treasurer Sale and Collection Act", effective December 11, 1984.

Which were severally read and referred to the Committee on Finance.

Mr. Darkins presented

No. 2522 Resolution providing for the issuance of a warrant in favor of Helen Hull Consultant, 719 Singer Place, Pittsburgh, PA 15221, in the amount of \$600.00 in payment for professional consulting services rendered to Councilman Duane A. Darkins for the month of April, 1993, chargeable to and payable from Code Account 1001-2, Salaries, Wages and Services of Council, As Needed, (Index Code 100123), City Council, District 9. ---**(SPONSORED BY MR. DARKINS)**

Which was read and referred to the Committee on Finance.

Also,

No. 2523 Resolution providing for a Contract or Contracts, or the use of existing Contracts, for concrete slab replacement at various locations throughout the City of Pittsburgh, at a cost not to exceed \$500,000.00, chargeable to and payable from Code Account 3-01-01-0010-93, Concrete Program.

Also,

No. 2524 Resolution providing for a Contract or Contracts, or the use of existing Contracts for public sidewalk construction at various locations within the City of Pittsburgh, at a cost not to exceed \$50,000.00, chargeable to and payable from Code Account 3-01-30-0045-93, Public Property Sidewalk Program.

Which were read and referred to the Committee on Public Works.

Mr. Ferlo presented

No. 2525 Resolution amending the Pittsburgh Code, Title Six, Conduct, Chapter 603, Parades and Crowds, Section 603.03(c) Permit Fee, by decreasing certain fees. Where a parade follows the standard parade route from the Civic Arena to Point State Park, the permit fee shall be decreased from \$1,250.00 to \$250.00. When such permit is issued for a day that is a police holiday the fee shall be decreased from \$2,500.00 to \$500.00. ---**(SPONSORED BY MR. FERLO)**

Which was read and referred to the Committee on Public Safety.

Also,

No. 2526 Resolution providing for the issuance of a warrant in favor of Carl Marshalwitz, 725 North Beatty Street, Pittsburgh, PA 15206, in the amount of \$400.00 in payment for professional services rendered to Councilman Jim Ferlo for the month of May, 1993, chargeable to and payable from Code Account 1001-2, Salaries, Wages and Services of Council, As Needed, (Index Code 100123), City Council, District 7. ---**(SPONSORED BY MR. FERLO)**

Which was read and referred to the Committee on Finance.

Mr. Ferlo moved to suspend Rule 8 by providing for consideration of all the bills only until or after the 8th calendar day following the meeting in which the bills were introduced so the bills will be on the agenda this Wednesday.

Mr. Darkins seconded the motion.

Which motion prevailed.

Also,

No. 2527 An Ordinance amending Article VII, Chapter 161 of the Pittsburgh Code to revise Public Work Contracts regulations. --(SPONSORED BY MR. FERLO)

Also,

No. 2528 An Ordinance amending the Pittsburgh Code, Title Nine, Zoning, Article III, Chapter 921, Section 921.02, Zoning District Map No. 8, by changing from: 1. "S" Special District to "M1" Limited Industrial District all that certain property bounded by: Denlin Street; Hillgrove Avenue; a line parallel to and projecting 100 ft. southeasterly from the right-of-way line of Denlin Street and Lot No. 245, Block 36-M, in the Allegheny County Block & Lot System, 20th Ward. 2. "S" Special District and "M1" Limited Industrial District to "R2" Two-Family Residence District all that certain property bounded by: a line parallel to and projecting 100 ft. southeasterly from the right-of-way line of Denlin Street (as described above); Hillgrove Avenue; Tole Street and Lot No. 245, Block 36-M, in the aforementioned System, 20th Ward. (Council District #2)

Also,

No. 2529 Resolution providing for an Agreement or Agreements with a consultant or consultants to conduct parking studies to determine if selected Pittsburgh residential neighborhoods meet the impactation criteria as specified in the Residential Parking Permit Program Ordinance, Chapter 549.04, in order to qualify for designation, at a cost not to exceed \$25,000.00, chargeable to and payable from RPPP, Residential Parking Permit Program Trust Fund, Index Code 254102.

Also,

No. 2530 Resolution approving execution of a Contract for Disposition of Land by and between the URA of Pgh. and Mercedes C. Taylor for the sale of Block 173-C Lots 11 & 12, for the sum of \$1,800.00, in the 12th Ward of the City of Pittsburgh. The redeveloper intends to rehabilitate this vacant duplex and subsequently occupy one of the single-family units. The other single-family dwelling will be used for rental purposes. The property, which is located at 1656-1658 Lincoln Avenue, consists of approximately 7,000 square feet of land. These properties are being acquired following certification as blighted by the Vacant Property Review Committee and the Planning Commission of the City of Pittsburgh. The redeveloper is an individual, with a mailing address at 251 Travella Boulevard, Pittsburgh, PA 15235. (Council District No. 9)

Also,

No. 2531 Resolution authorizing the URA of Pgh. to acquire property in the 12th Ward of the City of Pittsburgh under the Residential Land Reserve Fund, for the Fair Market Value, said property having been certified as blighted by the Vacant Property Review Committee and the Planning Commission of the City of Pittsburgh. (Council District No. 9)

Also,

No. 2532 Resolution approving execution of a Contract for Disposition by sale of Land by and between the URA of Pgh. and Allegheny Union Pittsburgh Project, Inc., for the sale of property in the City of Pittsburgh, for the sum of \$4,000.00, under the Industrial Land Reserve Fund Cooperation Agreement. The redeveloper intends to use this site for expansion of the existing parking facilities for the adjacent AUBA Triangle Shops (formerly the Hill

Phoenix Shopping Center). This site contains a total of approximately 16,203 square feet. The redeveloper is a corporation with a mailing address at 2700 Centre Avenue, Pittsburgh, PA 15219. The officers of the corporation include Dr. James Nelson, President; Dr. LeRoy Walker, Vice President; Dr. Isaac Green, Secretary; and Dr. J.V.A. Winsett, Chairman of Trustees. (Council District No. 6)

Also,

No. 2533 Resolution authorizing the URA of Pgh. to acquire all the City's right, title and interest, if any, in and to the publicly-owned property in the 3rd Ward of the City of Pittsburgh, for the sum of \$1.00, designated in the Deed Registry Office of Allegheny County as Block 2-H, Lot 285, under the Residential Land Reserve Fund. This property is being acquired as part of a site assemblage for future housing development. The area being assembled is adjacent to the new Crawford-Square housing site. The subject, parcel, which is approximately 1,861 square feet of vacant land, is located at 35 Vine Street. (Council District No. 6)

Also,

No. 2534 Resolution approving execution of a Contract for Disposition by sale of Land by and between the URA of Pgh. and Audrey Reinhardt for the sale of Block and Lot 12-E-159, in the 17th Ward of the City of Pittsburgh. The redeveloper is the adjacent owner who intends to use this vacant land as a sideyard. This property, which is located at 1710 Fox Way, consists of approximately 1,200 square feet and has a purchase price of \$200.00. This property is being acquired following certification as blighted by the Vacant Property Review Committee and the Planning Commission of the City of Pittsburgh. The redeveloper is an individual with a mailing address at 1712 Fox Way, Pittsburgh, PA 15203.

(Council District No. 3)

Also,

No. 2535 Resolution authorizing the URA of Pgh. to acquire that property in the 17th Ward of the City of Pittsburgh owned by Edward Lucas, and designated as Block and Lot 12-E-159 in the Deed Registry Office of Allegheny County, for the Fair Market Value, under the Residential Land Reserve Fund, said property having been certified as blighted by the Vacant Property Review Committee and the Planning Commission of the City of Pittsburgh. The property is being acquired for resale to the adjacent owner for use as a sideyard. The property is approximately 1,200 square feet of vacant land, is located at 1710 Fox Way. (Council District No. 3)

Also,

No. 2536 Resolution authorizing the URA of Pgh. to condemn and acquire all of the City's right, title and interest, if any, in and to Block 9 R Lot 155 at 1519 Bedford Avenue, Owner, Three Taxing Bodies, the property is located in the 3rd Ward of the City of Pittsburgh, for the Fair Market Value, under the Residential Land Reserve Fund, said property having been certified as blighted by the Vacant Property Review Committee and the Planning Commission of the City of Pittsburgh. (Council District No. 6)

Also,

No. 2537 Resolution approving execution of a Contract for Disposition of Land by and between the URA of Pgh. and Central Hill Associates for the sale of Block 9 R Lot 155 at 1519 Bedford Avenue, located in the 3rd Ward of the City of Pittsburgh, for the sum of \$400.00. The purchaser owns the adjacent property (1521 Bedford Avenue), and intends to use the subject

property as a sideyard. This property is approximately 1,132 square feet of vacant land. The property has been certified as blighted property by the Vacant Property Review Committee and the Planning Commission of the City of Pittsburgh. The purchaser is a Limited Partnership with a mailing address at 5604 Baum Boulevard, Pittsburgh, PA 15206. The partners are Milton A. Washington and Allegheny Housing Rehabilitation Corporation (AHRCO), Milton A. Washington, Executive Director. (Council District No. 6)

Which were severally read and referred to the Committee on Planning, Housing and Development.

Mr. O'Connor presented

No. 2538 Resolution transferring the amount of \$3,419.00 from Code Account 1801, Miscellaneous Services, to Code Account 1802, Supplies, in the Department of Parks and Recreation. This transfer is necessary to correct for invoices that were charged in error to the incorrect Code Account.

Also,

No. 2539 Resolution transferring the amount of \$200,000.00 from Code Account 1708-9, Workers Compensation in the Department of Public Works to Code Account 1808-9, Workers Compensation in the Department of Parks and Recreation. This transfer is necessary to pay workers compensation invoices for the remainder of the year. Compensation claims for employees that were transferred to Public Works were paid from Parks and Recreation's Workers Compensation account in error.

Also,

No. 2540 Resolution transferring the

aggregate amount of \$950,000.00 from various Code Accounts to Code Account SSFSP, Special Summer Food Service Program Trust Fund the amount of \$825,000.00 and to Code Account SPP, Special Parks Programs the amount of \$125,000.00 in the Department of Parks and Recreation.

Which were severally read and referred to the Committee on Finance.

Also,

No. 2541 Resolution providing for an Agreement or Agreements with Dynamic Color, Inc. for the license of copyright interests and the receipt of royalty fees, payable to the Special Parks Programs Trust Fund, SPPTF, in the Department of Parks and Recreation.

Also,

No. 2542 Resolution providing for an Agreement or Agreements with the Pittsburgh Board of Public Education for the purpose of providing meals in connection with the Summer Food Service Program in the Department of Parks and Recreation, at a cost not to exceed \$750,000.00, chargeable to and payable from Code Account SSFSP, Special Summer Food Service Program, Dept. of Parks and Recreation.

Also,

No. 2543 Resolution providing for a license to Duquesne Light Company for the installation, use, operation, maintenance, repair, renewal and finally, removal of an overhead electrical system on certain property of the City situate in the 12th Ward in connection with furnishing electric service to the City of Pittsburgh Police Firing Range.

Which were severally read and referred to the Committee on Parks and Recreation.

Mr. Onorato presented

No. 2544 Resolution authorizing the City's acceptance of the assignment of the Master Emergency Telecommunications Finance Agreement between the City of Pittsburgh Equipment Leasing Authority and Bell Atlantic TriCon Government Finance, Inc. in connection with the purchase of the City's Automatic Location Identification System, at a cost not to exceed \$9,574.73 per month, chargeable to and payable from Code Account ETATF, subject to and conditioned upon the annual appropriation of funds.

Which was read and referred to the Committee on Public Safety.

Mr. Onorato moved to suspend Rule 8 by providing for consideration of all the bill only until or after the 8th calendar day following the meeting in which the bill was introduced so the bill will be on the agenda this Wednesday.

Mr. Cohen seconded the motion.

Which motion prevailed.

Also,

No. 2545 Resolution providing for a Contract or Contracts to purchase CAD System Software Upgrade (Version 2.0) for the Emergency Operations Center at a cost not to exceed \$28,000.00, chargeable to and payable from ETATF, Department of Public Safety, Emergency Operations Center.

Also,

No. 2546 Resolution providing for a Contract or Contracts to purchase a high speed printer for the Emergency Operations Center at a cost not to exceed \$10,000.00, chargeable to and

payable from ETATF, Department of Public Safety, Emergency Operations Center.

Which were read and referred to the Committee on General Services.

Mr. Ricciardi presented

No. 2547 Resolution providing for the issuance of a warrant in favor of Public Strategies, Inc., One Bigelow Square, Suite 616, Pittsburgh, PA 15219, in the amount of \$1,600.00 in payment for professional consulting services rendered to Councilman Eugene Ricciardi for the month of May, 1993, chargeable to and payable from Code Account 1001-2, Salaries, Wages and Services of Council, As Needed, City Council, District 3.
--(SPONSORED BY MR. RICCIARDI)

Which was read and referred to the Committee on Finance.

The Chair presented

No. 2548 Communication from Mary K. Conturo, City Solicitor, submitting the quarterly report of the settlement of small claims not exceeding \$750.00 for the First Quarter of 1993, payable from Code Account No. 1081, Petty Claims. Also, a quarterly report of the settlement of claims in excess of \$750.00 for the First Quarter of 1993, payable from Code Account No. 46, Judgments.

Also,

No. 2549 Communication from Michael Perry, City Clerk, submitting the First Quarter travel reports for 1993 from various departments.

Which were read, received and filed.

UNFINISHED BUSINESS

Mr. Ferlo:

We had asked for information regarding the actual payroll costs anticipated utilizing the block grant for police hiring this year because a majority of Councilmembers had expressed concern about the possibility of redirecting some or a portion of those funds to summer youth employment. I believe we asked that over a month ago and I was wondering if the Clerk was in receipt of any information regarding that.

The Chair:

Mr. Perry, was there a deadline given for that information?

Mr. Perry:

I don't believe so.

The Chair:

Could we ask for it by next Tuesday's meeting, please?

Mr. Ferlo:

Thank you.

REPORTS OF COMMITTEES

Mr. Cohen presented

Bill No. 2550

Report of the Committee on Finance for April 28, 1993 transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 2162

A Resolution entitled, "Resolution providing for the issuance of a \$868.63 warrant in favor of American Rent A Ride in settlement of claim for automobile damage."

Which was read.

Also,

Bill No. 2209

A Resolution entitled, "Resolution providing for the issuance of a \$852.00 warrant in favor of Raymond P. Fair in settlement of claim for sidewalk damage."

Which was read.

Also,

Bill No. 2210

A Resolution entitled, "Resolution providing for the issuance of a warrant in the sum of \$12,500.00 to Horace J. McDaniel c/o Thomas A. Crawford, Jr., Esquire, his attorney, 500 Triangle Building, 701 Smithfield Street, Pittsburgh, PA 15222, in full and final settlement of alleged libel, slander, defamation and any other related claims for which suit was filed in the Court of Common Pleas of Allegheny County at No. GD87-03259."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. O'Connor
Mr. Darkins	Mr. Onorato
Mr. Ferlo	Mr. Ricciardi
Michelle Madoff	Mr. Wagner
	(Pres't)

AYES 8 NOES none

And there being two-thirds of the votes of Council being in the affirmative, the bills passed finally.

Also,

Bill No. 2247

A Resolution entitled, "Resolution providing for the issuance of a warrant in the sum of \$50,000.00 to Mary B. Gentile, Administratrix AD Prosequendum of the Estate of Robert L. Gentile, c/o Robert J. Donahoe, Manifesto & Donahoe, P.C., 1550 Koppers Building, 436 Seventh Avenue, Pittsburgh, PA 15219-1818, in full and final settlement of the action filed at GD90-06493 alleging the wrongful death of Robert L. Gentile due to street car tracks on Second Avenue between the Armstrong Tunnels and Brady Street, on or about May 15, 1989."

Which was read.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. Onorato
Mr. Darkins	Mr. Ricciardi
Michelle Madoff	Mr. Wagner
Mr. O'Connor	(Pres't)

AYES 7 NOES none

(MR. FERLO ABSTAINING)

And there being two-thirds of the votes of Council being in the affirmative, the bill passed finally.

Also,

Bill No. 2467

A Resolution entitled, "Resolution providing for the issuance of a \$1,818.08 warrant in favor of Bell of Pennsylvania in settlement of claim for property damage."

Which was read.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. O'Connor
Mr. Darkins	Mr. Onorato
Mr. Ferlo	Mr. Ricciardi
Michelle Madoff	Mr. Wagner
	(Pres't)

AYES 8

NOES none

And there being two-thirds of the votes of Council being in the affirmative, the bill passed finally.

Also,

Bill No. 2468

A Resolution entitled, "Resolution providing for the filing of a petition or petitions for the sale of certain property or properties, acquired at tax sales in accordance with Act No. 171 of 1984, 'Second Class City Treasurer Sale and Collection Act,' effective December 11, 1984."

Which was read.

Also,

Bill No. 2469

A Resolution entitled, "Resolution providing for conveyance by the City of Pittsburgh of certain property, under Act No. 171 of 1984, entitled, 'Second Class City Treasurer Sale and Collection Act,' effective December 11, 1984."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen
Mr. Darkins

Mr. O'Connor
Mr. Onorato

Mr. Ferlo

Michelle Madoff

Mr. Ricciardi

Mr. Wagner
(Pres't)

AYES 8

NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Also,

Bill No. 2473

A Resolution entitled, "Resolution providing for the issuance of a warrant in favor of Public Strategies, Inc., One Bigelow Square, Suite 616, Pittsburgh, PA 15219, in the amount of \$1,000.00 in payment for professional consulting services rendered to Councilwoman Michelle Madoff for the month of April, 1993."
--(SPONSORED BY MICHELLE MADOFF)

Which was read.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen
Mr. Darkins
Mr. Ferlo
Michelle Madoff

Mr. O'Connor
Mr. Onorato
Mr. Ricciardi

AYES 7

NOES none

(MR. WAGNER ABSTAINING)

And there being two-thirds of the votes of Council being in the affirmative, the bill passed finally.

Mr. Ferlo presented

Bill No. 2551

Report of the Committee on Planning, Housing and Development for April 28, 1993 transmitting two ordinance and one resolution to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 1178

An Ordinance entitled, "An Ordinance amending the Pittsburgh Code, Title Nine, Zoning, Article V, 'Regulations Applicable to All Districts', Chapter 987, Signs, to revise advertising sign regulations." --(SPONSORED BY MR. FERLO)
(AS AMENDED IN COMMITTEE)

Which was read.

Mr. Ferlo:

Mr. Wagner and Members of Council, as was anticipated, given the seemingly apparent position of this Administration regarding billboard control and billboard reform of the Zoning Code, six minutes before the meeting started, although I asked for this opinion on Friday so that we could have some counter opinions to be reviewed by this Council, we did receive a communique from Solicitor Centuro a few minutes before the official start of this meeting. Her insistence is that Bill 1178, which will amend the Zoning Code regarding certain regulations and size and spacing of future

billboard construction, her contention is that that bill must go back to the Planning Commission for a report and recommendation.

I think she is as wrong on this issue as she was on the conditional use application with the Fire Bureau, but I do not want to make that to be an issue of law. She is citing the changes, the amendments to the bill that were made last week by a majority of this Council. She characterizes those changes as substantial changes to the bill. There are, in fact, not substantial changes and, in fact, if anything, they are a restoration of the existing code.

Rather than bicker with her about the legal ramifications of these amendments, I would suggest and abide by her desire to recommit the bill to the Planning Commission for a report and recommendation.

So, at this time, I'd like to make a motion to refer Bill 1178 back to the Planning Commission, as amended, for a report and recommendation to this Council. I will note that they are meeting on May 11th and I believe that they will deal with this issue very quickly at that meeting.

Michelle Madoff seconded the motion.

WHICH MOTION PREVAILED.

Also,

Bill No. 1179

An Ordinance entitled, "An Ordinance establishing the 'Advertising Sign Enforcement Trust Fund' (ASETf) and certain funding and disbursement guidelines for said Trust Fund and authorizing and directing appropriate city officials to fulfill such guidelines." --- (SPONSORED BY MR. FERLO)
(AS AMENDED IN COMMITTEE)

Which was read.

Also,

Bill No. 2009

A Resolution entitled, "Resolution amending Resolution No. 818, effective July 13, 1992, PROVIDING for an Agreement or Agreements with Consultant or Consultants, or Contract or Contracts, or use of existing Contracts for payment of services and expenditures for the implementation of the 'Pittsburgh-Allegheny Geographic Information System' (PAGIS) at a cost not to exceed \$26,101.94."

Which was read.

Mr. Cohen:

I'd like my comments brought forward on all these bills from last Wednesday, please.

Mr. O'Connor:

I'd like my comments brought forward, too.

Mr. Onorato:

Same here.

The Chair:

Ditto here also.

(REMARKS ON FOLLOWING PAGES)

(BEGINNING - MESSRS. COHEN, O'CONNOR, ONORATO AND WAGNER'S
COMMENTS ON BILLS NO. 1178, 1179 and 1180, WEDNESDAY, APRIL 28,
1993)

The Chair:

All of those were sponsored by Mr. Ferlo and we had a
public hearing on April 15, 1993.

Mr. Ferlo:

Mr. Chairman, I would like to move separately the following
bills: On Bill No. 524 which is a bill that attempts to deal
with the issue of legal non-conforming billboards that have
existed in the city for decades. Billboards that in many
instances are in areas that are not now allowing construction of
billboards such as billboards being built in a residential area.
There is a major legal opposition to this bill, it did not
receive support from the Planning Commission, the City Solicitor
has expressed opposition and concern about the bill. There is a
group of individuals who have legal expertise that are working
on this issue of getting a grappling and a handling on the issue
of legal non-conforming. Members of the Planning Commission
expressed support for the basic concept of dealing with this
issue in the future and recognizing the concern that have been
raised at this time I would like to make a motion to table Bill
No. 524.

Mr. Ricciardi:

Second.

Which motion prevailed.

The Chair:

All those in favor of the motion to table? Opposed? The
ayes have it.

Mr. Ferlo:

On the other three bills, what I would like to ask with
permission of my colleagues is that we deal with the substance
of Bill No. 1178 which are amendments to the Zoning Code which
did receive support from the Planning Commission and then
following that debate whatever action we want to take, we then
deal with the notion of the licensure requirement and the fee
and move that following the issue of the actual Zoning Code
amendments. So at this time with your permission I'd like to
make a motion to first approve Bill No. 1178 as originally
submitted for purposes of discussion.

Mr. Onorato:

Second.

Which motion prevailed.

Michelle Madoff:

Would you clarify that bill please?

Mr. Ferlo:

I'm just making the motion to get the bill on the table.

The Chair:

Okay. Discussion Mr. Ferlo.

Mr. Ferlo:

I would like to make a motion to amend by substitution. The original Bill No. 1178 is my bill first introduced a year ago in City Council. At this time I would like to, as is the procedure always on this Council that we amend by substitution and place before us the amended Bill No. 1178 which came with approval from the Planning Commission for purposes of discussion.

Mr. Ricciardi:

Second.

Which motion prevailed.

Mr. Ferlo:

Which puts on the table the actual Planning Commission document which received support and that's what we need to debate and consider.

Michelle Madoff:

I'm a little confused. Are you talking about the bill that was product of the committee that you want to put back and discuss or the one that was substituted and was vote on?

Mr. Ferlo:

There's only one legal bill that we should be discussing and that is the bill that has been a report and recommendation and adopted by the Planning Commission, Bill No. 1178 as amended and has been forwarded to Council from the Planning Commission.

Michelle Madoff:

Are we going to do a comparison of the two bills?

Mr. Ferlo:

You can compare anything you want.

Michelle Madoff:

The reason I asked the question is that I would like to see a comparison between the bill that was approved initially by the Planning Committee and then the one that was substituted. The one that was recommended and then the one that was substituted and was approved.

Mr. Ferlo:

There is nothing substituted. There is a sub-committee report and I'm happy to hear any debate or discussion on that but that's not the issue right now. The issue right now is to place before us the recommendation. We asked the Planning Commission to give us a report and recommendation and that is Bill No. 1178 as amended and that's what I'm trying to put on the table to discuss.

The Chair:

On the agenda your original bill was introduced about a year ago. You are amending by substitution to have the Planning Commission's bill put on the table for discussion; is that right?

Mr. Ferlo:

As is the procedure for many decades.

Mr. Onorato:

Point of clarification. Councilman Ferlo on Bill No. 1178 would be this column, correct?

Mr. Ferlo:

Yes, as has been debated and reviewed and recommended from the Planning Commission of which we have two commissioners here who I'm sure will explain the bill.

The Chair:

Mr. Ferlo, why don't you discuss the bill.

Mr. Ferlo:

Following this I would like to move on the issue of the licensure fee and the establishment of the trust fund.

Very quickly because there has been a lengthy debate on this subject which obviously is controversial, it's been the subject of lots of letters, lots of call-ins. People are both in favor, people are opposed to billboard control, billboard reform and there are many that just don't even want to deal with this issue.

I introduced a series of bills which I think reasonably deal with reforming the Zoning Code as it relates to the billboard industry, the outdoor advertising billboard industry. I offered what I think were reasonable future controls regarding the construction of future billboards in the City of Pittsburgh and the bills that I've introduced originally tried to deal with the problem of legal non-conforming. There are legal challenges to that and I've table that. The Bill No. 1178 that is before us is an attempt to amend the Zoning Code to provide reasonable regulations regarding the size and the spacing, the density, how the billboards are put together physically on the lot, protection of their riverfronts, expanding protections on major portals coming into the city, height restrictions and things of this sort. All legal, all pursuant to our powers and the Planning Commissions powers to deal with amendments of the Zoning Code regarding quality of life and the liveability of our city.

There's lengthy public hearing and debate. There are pros and cons on doing anything relative to the outdoor industry. I do disagree strenuously with the industry's characterization of these bills and the bill that finally was adopted by the Planning Commission as decimating the profitability of the industry. I think that is an unfair characterization. I think what's being offered in the report that we're now discussing the report and recommendation from the Planning Commission which was approved and forwarded back to Council are a reasonable set of amendments to the Zoning Code dealing with the issues that I've just outlined.

In recognition that there are still criticisms of this bill regarding where and how and in what manner billboards will be constructed in the future, I would further like to make an amendment to the Planning Commission's bill, Bill No. 1178, by doing two things: One, and I believe you have this in front of you and if you don't I'll pass this out.

I would like to make an amendment --

Mr. Ricciardi:

-- Mr. Chairman, point of order. Just to make sure we're clear on the future legality of the meeting, we did have amendment by substitution, we did have a second but did not have a vote on amending by substitution so really the bill is not legally before us so I think we should have that vote to amend by substitution. We did have a move and a second but we never voted on it.

The Chair:

You're right, Mr. Ricciardi. This is not a vote on the substance of the bill, this is a vote on whether to amend by substitution. All those in favor signify by saying aye? Opposed? The ayes have it.

Mr. Ferlo:

I would further like to amend the report and recommendation from the Planning Commission. Taking into consideration and again, I do not agree with these amendments. I'm offering these amendments -- there are three Councilmembers who have expressed support for the Planning Commission document. Obviously myself and two others who I'm sure at some point expressed their concerns. In order to garner a majority support from this Council and recognizing criticisms that several Councilmembers expressed following the public hearing up until even before this meeting began, I would like to offer two further amendments in recognition of the concerns that those Councilmembers have expressed, in recognition of what they feel would have to be amended further in order for their support to be considered on this measure. Accordingly, I would like to offer two other amendments. One is to amend the Planning Commission bill that is now before us and allow future signs, construction in "C3" and "C4" commercial districts, however with the maximum height of those future signs being 30 feet high, roughly three stories, and that the maximum size area of the sign would be 378 square feet. Secondly, I would make an amendment to further amend the bill before us, Bill No. 1178 from the Planning Commission dealing with restoring a 750 square feet sizing of the signs in the industrial zones "M2", "M3" and "M4" and accordingly I would like to make this in a form of a motion.

Mr. Ricciardi:

Second.

Which motion prevailed.

The Chair:

Mr. Ferlo, there are two points on the amendment. Do you want to take them together or separately?

Mr. Ferlo:

Together.

The Chair:

The amendments are and let me read them. Number One, to allow future signs in the "C3" and "C4" Districts, however maximum height in "C3" and "C4" districts would 30 feet and maximum sign area in "C3" and "C4" districts would be 378 feet and Number Two, maximum sign area in "M2", "M3" and "M4" Districts would be 750 square feet. Those are the amendments, right?

Mr. Ferlo:

Yes and just to clarify further, "C3" as most of us know, "C3" is typically a neighborhood business commercial district such as Carson Street or Butler Street or Murray Avenue or East Ohio Street or Steuben Street in the West End. These are typically your neighborhood "C3" commercial areas which and we can bring some of zoning staff up here -- basically allows three stories. So I'm saying as a compromise to the criticisms that several Councilmembers have expressed to me that we would put back into the Planning Commission document that we would continue to allow billboards in the "C3" and "C4" areas. The "C4" areas -- "C4" areas of which there are eight "C4" areas around the City of Pittsburgh. They basically are neighborhood commercial areas that over the years have allowed higher structures, apartment buildings, larger office retails to be built. There are eight such areas. For instance, Allegheny Commons area in the Northside is "C4", the Waterworks Mall area is "C4", the Centre and Craig intersection is "C4", the Fifth Avenue corridor from behind this building on Ross Street down Pride Street is "C4", the Forbes Avenue corridor from the St. Peter's Church demolition site at Craft up to Bouquet Street is eight and there are other "C4" areas and the goal there on the part of land use was to allow recognizing the open space, recognizing the parking was to allow larger sized buildings to be built to encourage development office retail and things of this sort.

Secondly, on the issue of the 750 square feet would be these would be the industrial zones. The presumption there is that industrial zones often times the billboard industry will target these areas and rightfully so in terms of trying to put billboard up and they are concerned about the size of the board itself. The original bill reduced it to the 378 and we're

restoring it to the 750 which is typically a standard sign by several of the companies.

The Chair:

There's been a motion to further amend; is there a second?

Mr. Ricciardi:

Second.

The Chair:

Any further discussion on that amendment?

Mr. O'Connor:

I had some questions for the Planning Commission.

The Chair:

We also have the Chair of the Planning Commission, Mr. Tom Armstrong is here. Also another member and head of our Zoning Board, Mr. John Zottola, is here. Are there any other members of the Planning Commission who are here?

Mr. Ricciardi:

Obviously these discussions that occurred now should deal with the amendments at hand and not the bill itself in order to move this along.

The Chair:

Mr. O'Connor, would you like either Mr. Armstrong or Mr. Zottola to come forward?

Mr. O'Connor:

I have a question concerning the amendment here. Did you propose the 750?

Dir. Downing:

The Planning Commission approved 378 square feet.

Mr. O'Connor:

In what districts?

Dir. Downing:

All districts.

Mr. O'Connor:

Was that your recommendation?

Dir. Downing:

That was the Planning Commission recommendation, yes.

Mr. O'Connor:

Do you know how many 750 signs there are? In other words, if we would pass this how many signs are in the "C3" now? What percentage of them?

Dir. Downing:

I believe representatives from Martin Media who own roughly 1,000 billboards in the city have said approximately city one-half of their boards are in "C3" areas but I think you need to ask that question directly.

Mr. O'Connor:

My question was the size. How many 750's are in the "C3's" now? Is it a minority or is it a lot?

Dir. Downing:

I can't answer that.

Michelle Madoff:

How could you vote and pass a bill if you didn't know that answer?

Dir. Downing:

Because the amendments that are before you are essentially for new billboards.

Michelle Madoff:

You don't have an inventory?

Dir. Downing:

We don't have a data base that has that information readily available.

Michelle Madoff:

We don't have a data base?

Dir. Downing:

That has the size --

Michelle Madoff:

-- the industry does.

I think he asked a reasonable question. The quest is, where is the inventory? If you don't have it, it can be easily obtained from the outdoor advertising people. We should get that inventory because I think that's very important. I think you need an answer to that.

Mr. O'Connor:

What I'm driving at and I talked to Mr. Ferlo first and it did not both me but now it is if we're going to make one-half of their signs unconfirming and I have to know that and I think it's fair to all of us to know that question before we vote on it.

Mr. Ferlo:

We're talking about the future construction of signs. We are allowing back in and in disagreement with the Planning Commission report and the amendment here is proposing that we disagree with the Commission report and we amend that bill back to allow future construction of billboards in "C3" and in "C4" business corridors however, we are agreeing that it's reasonable in the future and when you have three-story neighborhood commercial areas where we spend millions of dollars on streetface when many neighborhood organizations and neighborhood merchant groups are supporting reasonable regulations and reform that in the future we try to be concerned about the sizing and massing of these billboards and that's why the 378 which is still a very large board when it's alongside a "C3" commercial district building.

There are a lot of 750's in "C3's" and there are a lot of the smaller boards in "C3". Typically you'll see the Gateway 72-foot square board in "C3" and also Martin has a large number of other larger signs in "C3" commercial areas.

Mr. O'Connor:

What bothers me about it is what I'd like to know is when they market, they may buy 100 signs at a time and if we restrict them we can really hurt their business opportunities to buy it whether it be a national chain -- that's what's confusing me but the smaller number doesn't bother me.

Mr. Ferlo:

The issue is 378 square feet or should it be 750 square feet?

Mr. Onorato:

On the same question that Councilman O'Connor brought up, is there anyone from the Planning Commission that could answer the question of what is the normal or common sized billboard in the "C3"?

The Chair:

Why don't we find out. Let's ask Mr. Zottola and Mr. Armstrong to come to the table.

Mr. Ferlo:

The Zoning Administrator is here and I'm sure he can testify what his direct experience is in approving various permits and maybe it would be helpful if he could come to the table.

The Chair:

Thank you. We have with us for the record Tom Armstrong, Chairman of the Planning Commission and Mr. John Zottola, Chairman of the Zoning Board. Thank you both for coming today.

Mr. Onorato:

My question in your typical "C3" neighborhood business district which is East Carson Street, East Ohio Street, everyone knows what type of business district we're talking about. What is the normal billboard that we see every day going home? What size is that? Does it qualify for 378 or is it a 750 square foot; which one?

Mr. Zottola:

The exact numbers that were discussed in our subcommittee were percentages in terms of elimination of signs from districts and it was determined that a majority of the signs were in "C" Districts, so it was a question of 750 in "C3" Districts or the elimination of signs in "C3" Districts. The subcommittee didn't break down the number of 750 as opposed to 72 square foot signs and perhaps the industry people would have the information and would be able to tell you what percentage of the signs would become non-conforming as to size if 378 square feet is the size that is approved in a "C3" District. It wouldn't be non-conforming as to use but a percentage would be

non-conforming as to the size and the reconstruction issue would be one then as to the non-conforming.

Mr. Onorato:

Your best guesstimate because we have a rule here that we don't bring anyone to the table except city directors or commission members, so I don't think we're going to have the industry come to the table because we don't do that on a Wednesday discussion. So I want to know from your best estimate, since we have large sign, 750 or the 378 both in the "C3's", do we have any idea from testimony you heard what were those percentages within the "C3's"?

Mr. Armstrong:

I can't speak to the percentages but I think when you're looking at the "C3" District bear in mind that it is analogous to the "A1" which we see around the city as well where outdoor advertising is not allowed at all, and the real issue -- the operative word in describing a "C3" I think is the term "neighborhood business district" which implies close by residential uses and if you have a 750-board that might loom very close to somebody's back yard, I think that's a very unfair intrusion into the residential communities that we hope to preserve and the real key issue here I think would be the scale of the boards and for that reason I think the 378 would be as much as you could possibly consider.

Mr. Onorato:

However your original recommendation was not to allow them at all in the "C3".

Mr. Armstrong:

I think we live in a world of compromise and I would prefer to see none. I don't think they have adversely affected the "A1's" having no outdoor advertising but in order to create positive change I think we've got to live with compromise.

Mr. Onorato:

I appreciate your personal feelings on the issue. I think I know where you stand on the issue.

You're a Northsider so maybe we can look at East Ohio Street. The sign that's on the Thrift Drug Store, is that a 378 or a 750 sign?

Mr. Armstrong:

I believe that is a 750.

Mr. Onorato:

That's the larger one. Could you give me an example of what a 378 sign so that I know. Mr. Brown?

The Chair:

I did not see Mr. Brown earlier. Jim Brown our Zoning Administrator is here as well. Mr. Brown, my apologies. If you could come to the table, somehow that would be helpful.

Mr. Onorato:

The reason I'm asking these questions is so I could have understanding of what the 750 means and what the 378 means and right now I can visualize certain signs on the Northside. Now know what the sign on the Thrift Drug Store. What is a 378 example on the Northside, can you give me one?

Mr. Brown:

The Thrift Drug sign is a 14 by 48. That is 672 square feet in area and if you give them the ability to add on the top or the side some add ons, that arrives at a 750 square foot area.

Mr. Onorato:

So the normal size is 672 square feet.

Mr. Brown:

That is the common size in today's industry.

Mr. Onorato:

What is the common size under the 378?

Mr. Brown:

The size that was popular in the past, the 12 by 25's which equal 300 square feet and if you give them room for add ons, that gives you the 350 square foot area. There is a size smaller than that -- the 6 by 12 which is 72 square feet. They're the small poster panels if you walk around town you will see quite a few of them that is the standard size that Gateway Company puts up in the areas. You'll see a lot of them in the "C3" areas.

Mr. Onorato:

Mr. Brown, you made a comment that it was common in the past use the 12 by 25.

Mr. Brown:

That was a popular size.

Mr. Onorato:

Are you suggesting that we don't use those anymore?

Mr. Brown:

No, I'm not suggesting that at all.

Mr. Onorato:

I want to make sure that the industry still uses 12 by 25.

Mr. Brown:

Yes, they do.

Dir. Downing:

I think the ones along the hillside going out Route 28 that you see on the left-hand side are the 378 size.

Mr. Onorato:

Okay. That's all I have.

Mr. O'Connor:

Can you explain why your commission settled at 750?

Mr. Zottola:

The ordinance as it exists now permits 1200 square feet in terms of the size. The sub-committee recommendations were based on a discussion of all of the aspects of the bill and they involve concessions from all parties in an attempt to arrive at something that is a compromise between the 1200 square feet which is currently permitted under the ordinance. The 750 was the size that was agreed upon and in return there are other consensus that were made in terms of the reconstruction to the billboards so it was a lot of give and take back and forth.

When we discussed the districts the "C3" District and "C4" District and if a sign would be destroyed, it could not be replaced at 750 as it exists, it could only be replaced at the 378, so that would be the non-conforming aspect of a "C3" and "C4".

Mr. O'Connor:

So it still bothers me, we don't know how many 750 are there.

Michelle Madoff:

I have the number, Mr. Chairman. The majority in the "C" Districts are 750, it's 80 percent of the business and 15 percent total of all signs in the city are half the revenue are the 750 sized signs. I know because I just asked because they weren't allowed to come to the table.

Mr. O'Connor:

You're saying half the signs in the 80 percent are in the "C" District.

Michelle Madoff:

Right. The 750 size, 15 percent of all the signs in the city are 750 feet and it generates half the revenue. My signs are 750.

Mr. Onorato:

On the amendments and this question is to anyone that could answer it. With our amendments here we also have the 30 feet height requirement in the "C3" and "C4" along with 370 in square feet. Thirty feet height requirements in a "C3" District, do you see that as a problem as opposed to what everybody has been talking about the 45 feet that has been across this whole char under every bill? For example, in the 45 it would allow you to put it on top of the building. What's a three-story building?

Mr. Brown:

They are not permitted on top of a building.

Mr. Onorato:

Is there a problem with 30 feet? Judging on what we have currently --

Mr. Brown:

-- currently they are allowed 45 feet --

Mr. Onorato:

-- judging what we have currently with signs actually out there, what would 30 feet, what does that do to the current signs? What are most of our current signs?

Mr. Brown:

The percentage of the total existing stock; is that your question?

Mr. Onorato:

I know it's a guesstimate.

Mr. Brown:

I think the newer signs, the larger 14 by 48 are higher than 45 feet. The older signs, particularly the 12 by 25, they are within the 30-foot range.

Mr. Ferlo:

It's thirty feet which is three stories.

Mr. Brown:

Approximately, yes.

Mr. Onorato:

I don't know if you answered my question or not. Let's deal with "C3" right now. Under a "C3" District which are the neighborhood business districts, the average sign that is up currently, you say it's above or below 30 feet.

Mr. Brown:

I would say that it's 30 or below. That is on the basis of all signs, small, medium and large in the "C3" District owned by all the companies.

Mr. Onorato:

So you would say that at least a majority of them are 30 or below.

Mr. Brown:

Correct.

Michelle Madoff:

Fifteen percent are the large ones, the rest are small ones.

Mr. Ferlo:

All the billboards whether they are 1200 square feet in a "C3" or 750 will continue to exist for decades regardless of what happens in this bill.

Mr. Brown:

That's correct.

The Chair:

Mr. Onorato, are you through?

Mr. Onorato:

Yes.

Mr. Ricciardi:

Thank you, Mr. Cohen. That is one clarification I was going to make that obviously we're dealing with future construction of signs and not the present status quo signs.

Mr. Armstrong, I realize when the recommendation was made by the subcommittee of the Commission but as Chairperson of the Commission, the bill that you sent before us, the permitted districts were only "M2", "M3" and "M4"; is that correct?

Mr. Armstrong:

That's correct.

Mr. Ricciardi:

So actually the amendment is adding two more districts that would be permitted to construct new signs.

Mr. Armstrong:

That's correct.

Mr. Ricciardi:

And that permission would be granted for "C3" and "C4" at 378 square feet so we're actually amending the Planning Commission's bill to allow two other permitted districts.

Mr. Armstrong:

Correct.

Mr. Ricciardi:

Thank you.

Mr. Wagner:

Mr. Zottola, how does this differ with the consensus bill that was arrived at that you chaired the committee of that I understand met for months and months upon months?

Mr. Zottola:

The amendments differ in that the sub-committee's recommendation was to maintain 750 square feet as the size limitation in all of the districts where billboards or advertising signs would be permitted, so it would be "C3", "C4", "C5" and "C6" as well as the "M" Districts. There are other aspects that I can go through 1178 where they differ with the current amended bill that is before Council.

Mr. Wagner:

I know we're talking about this particular amendment, I don't know if we're going to have other amendments.

Mr. Ferlo:

I have no problem with talking about anything on this bill.

Mr. Wagner:

What I don't understand in this whole bill is that I understood that there was a consensus agreement based on long negotiations between a number of different people on a bill that was put forth in front of the Planning Commission and then at the Planning Commission a number of changes were made. As a matter of fact I believe even the Pittsburgh Post-Gazette wrote an editorial in support of the consensus piece of legislation that the committee -- did you chair that committee?

Mr. Zottola:

Yes, I did.

Mr. Wagner:

Ultimately that was not what was passed by the Planning Commission.

Mr. Zottola:

That's correct.

Mr. Wagner:

And one of those changes is the amendment we're talking about now. Why is that? Why did all those changes occur at the last minute when we were all under the impression that there was some agreement by all parties?

Mr. Zottola:

That I can't answer. I dissented in terms of the ultimate recommendation that went from the Planning Commission to Council. My recommendation and my attempt to have legislation brought before Council would have been in the form of the sub-committee proposal.

Mr. Wagner:

What is the difference?

Mr. Zottola:

There's a difference between recommended size of signs in permitted districts. There was a difference originally between the permitted districts for advertising signs. There is a difference in spacing determinations. There is a difference in the types of sign configurations that would have been permitted. There would have been a difference in some setbacks from tunnels and the difference in setbacks from the rivers.

Mr. Wagner:

Who was on that sub-committee and how many times did you meet and how was the final consensus of that bill? Was that a unanimous vote of the people on the committee?

Mr. Zottola:

With respect to the recommendations on 1178, a consensus, we arrived at a consensus. There was a unanimous agreement with respect to those issues.

A sub-committee was comprised of myself and Thelma Lovett from the Planning Commission, Josette Fitzbiggins from NeighborFair Pittsburgh was on the sub-committee, Dan Boyarsky a professor at Carnegie Mellon, Mr. George Pastor from Gateway Advertising was on the sub-committee and Mr. Heffner from Mart Media was on the sub-committee. The sub-committee met I'd say at least ten or twelve times our meetings averaging over two hours and our meetings included a tour of the city and viewing different billboards and different location of billboards and the meetings after some original concerns also included members from Councilman Ferlo's staff, other members from the industry and in an attempt to get as much information as was possible

before the sub-committee but ultimately the voting members were those that I previously listed.

Mr. Wagner:

That recommendation was submitted to the Planning Commission and the Planning Commission made a number of changes of which they are reflected in the bill in front of us now.

Mr. Zottola:

Yes, in the form of a separate bill that was introduced by one of the Planning Commission members.

Mr. Wagner:

Where is that distinctly identified in a brochure between --

Mr. Ferlo:

-- the far left blocks.

Mr. Wagner:

Which one is the bill that was in front of that all of you recommended versus what is in front of us today?

Mr. Zottola:

The recommendations of the sub-committee are in the far right on your Matrix. The blocks that are highlighted.

Mr. Wagner:

Thank you. I think Mr. Armstrong wanted to respond also.

Mr. Armstrong:

If I can give you a 60-second history of this process I think there has been some concern expressed about the validity of the process. We began really in the fall of 1991 to hold public hearings to get public comment on outdoor advertising as it exists in the City of Pittsburgh and originally I had hoped that we would have a report for Council by the spring of 1992. I think you folks have seen that the industry has its ways of putting up roadblocks to change and we were frustrated and it didn't come to pass as quickly as we had hoped. The solution was to appoint a subcommittee of the Planning Commission which was done in the fall of 1992.

Mr. Zottola:

It was late October or early November.

Mr. Armstrong:

And this committee did do a tremendous amount of work, they deserve an awful lot of credit. They worked many, many long hours, I think more hours than they ever envisioned working. They came back to us March with very specific recommendations. Those recommendations were made to the Commission. At that time there were eight sitting members of Planning Commission because of the resignation of Reverend Barr and one of those eight commission members has recused himself because of a possible conflict in his law firm, so that left us with seven voting members on the commission.

The day that we took a vote we had a quorum with five in attendance. Mr. Zottola was able to break up a conflict that he had and come to the meeting to create the quorum, so we did have five voting members and the vote that was taken to pass what you have today was a 4 to 1 vote so if the two missing commissioners had had been able to come and had voted in opposition to this recommendation you would have then had a 4 to 3 vote but it clearly was a valid vote of the Planning Commission.

Mr. Wagner:

Why don't you need a majority within the Planning Commission to have an affirmative recommendation to Council, a majority based on the number of members?

Mr. Armstrong:

Perhaps the Director should answer that one. My understanding is that we need a quorum first of all and then we need a majority within the quorum.

Mr. Wagner:

Okay.

Michelle Madoff:

I'm so glad you used the term "history" because I want to give you a little more history. I refer to myself as a historian. I asked Mike Perry how many times we have had hearings on billboards in the 15 years I've been here, Jane, do you have a sense of it? It would be at least five?

Dir. Downing:

I think there have been at least three separate times.

Michelle Madoff:

The issue has come up before this Council at least a dozen times and I think there have been at least five public hearings and I think we could pull the transcripts.

Now I'm in a very strange position but I'm going to address it as best I can. I'm a culprit in the last three elections, maybe the last five elections and I think I have had twelve, I use billboards and I have a concern about perception that no matter what I say or how it's going to be taken so I'm going to be very straightforward as I usually am and very honest. You did answer the question there was no minority position; is that correct?

Mr. Armstrong:

The vote was 4 to 1. The opposing vote was Mr. Zottola. He was opposed to this recommendation because he was standing by the committee recommendation.

The Chair:

Let me advise not to interrupt you -- let me advise you that what we're talking about the amendments here, we will have an opportunity to talk about the bill as a whole.

Michelle Madoff:

Would you rather that I wait until the bill is as a whole because that's where I'm really going and I can't vote on the amendments until I discuss the bill as a whole. I don't know how you can discuss these amendments unless we discuss the bill as a whole.

The Chair:

If it's relevant to the amendments that's fine but we will have discussion on the bill as a whole.

Michelle Madoff:

I cannot vote on the amendments unless I discuss the bill as a whole, may I continue?

The Chair:

Yes.

Michelle Madoff:

But basically what you are saying is a minority position was that you were being to lenient and somebody wanted to be even stronger; is that correct?

Mr. Armstrong:

No. Mr. Zottola's recommendation is what you see outlined on the right-hand column of this page which is weaker in terms of control.

Michelle Madoff:

So the minority position was one of even weakening it more. There's no doubt in anyone's mind including the industry that there needs to be some regulation. I remember going back years ago with Mr. Jim Roddey when he originally owned the billboards and he said we worked on a committee, I think he was assigned to the first committee, am I right Jane? They said yes we understand we're going to help to regulate, we need to regulate our industry so we're in compliance and we are good neighbors in the community so I think there is that feeling universally.

The other thing I'd like to mention is that Gene Ricciardi raised the original non-payment. There were bills that were put on city properties or on private properties that owed us taxes and we never collected the money and that was another hearing that we had on billboards and raised the issue amongst the public about do you want this blight in your neighborhood and Gene is to be commended for that because I think it brought in some substantive revenue to the city.

Now, the one thing that I don't have here because no one has given me an answer and I'm going to come back to it and I'm going to touch on it quickly is that there has not been from my perception an independent study to determine the true damage that we're going to have or may not have on non-conforming. In other words, what we're talking about in this legislation is having takings because of the non-conforming, there could be takings if you have one that's conforming now but it's not conforming later, there's going to be some financial repercussions and I would like to know somewhere along the line if anybody has any data about the true damage to the industry because that question was asked by someone else and I didn't get an answer so I want to come back to that last.

Mr. Zottola:

I believe Michelle there was testimony as to how PennDOT determines the cost of the sign if you have to take a sign and think Director Downing had.

Michelle Madoff:

The point is that PennDOT is not the only one that might take a sign because as it has been explained to me and you may correct me but if I have a sign over here on somebody's property and the person says I want to build here and we have to remove that sign, the industry wants the right to put it up somewhere else and this bill will say that you can't do it; is that not true?

Mr. Ferlo:

That's not true.

Michelle Madoff:

Can you put up new signs?

Mr. Ferlo:

Always new signs will be permitted. With the Planning Commission new signs would only be permitted in the industrial zones. The amendments I'm offering today would allow and continue to allow new signs in "C3" neighborhood commercial, in "C4" neighborhood commercial but with an appreciation for the size of what that sign should be 378 as opposed to 750 and the height being three stories instead of full 45 feet.

Michelle Madoff:

Thank you. Let me ask my question in another way. The number that I got since we didn't allow the industry to come to the table was that 15 percent of industry's signs are the large 750's but they generate 50 percent of the revenue so let's take the scenario you suggested. The sign is removed here, it's a 750. They are going to build here and now they're building another sign in that area and if a sign is no longer permitted to go to 750 they cannot do that anymore; is that correct?

The Chair:

In a "C3" or "C4"?

Mr. Ferlo:

It would be 378 if you support the amendment.

Michelle Madoff:

I'm trying to understand it. My question is since only 15 percent of the signs are 750 generating half of the revenue what financial damage would be caused to the industry and I'm asking for a reason and that would be my last question.

There's no doubt in anybody's mind that when you go by communities and you see sign after sign after sign after sign that that community can never regentrify itself for use of a better word. It's impossible to build up that community because of the nature and who wants to live with that, so there is absolutely positive damage. The next question is, do we do it now? The economy being what it is -- there's an expression I used to use in the environmental days was, "if you don't eat, it's a very unhealthy environment". I just wonder about the balance of this at this time.

Mr. Ferlo:

Michelle, we're talking about the future construction of signs. There will be hundreds of signs that will be 750 square feet and possibly even larger that are already up in "C3" and "C4" and they will be there for many, many decades to come unless the building owner has sold and they choose not to continue to have a billboard, there will still be hundreds and hundreds of billboards. Primarily these amendments and adopting these code changes deals with the future construction.

Michelle Madoff:

Exactly. And I'm told the industry right up front that sooner or later that industry is going to be out of business. Now the question you just raised -- the answer you gave me is different than the answer the industry gave me and I would like to see from what you just said that there are going to be signs forever and ever and it's not going to impact and when they take a sign down they're going to put it back.

I would like to see what the true impact is over what period of time in light of the job question at this time. Then I have a question of eminent domain that gets basically involved in the same question. Somebody in the city decides there's a sign where we don't want it and we may take it for our own purposes or we say you can't put a sign up. Is that a eminent domain taking, is the City then liable for reimbursement?

Dir. Downing:

The law -- I don't think there's a simple way to answer the question.

Michelle Madoff:

Take your time.

Dir. Downing:

The Pennsylvania Law and the City Code protect non-conforming uses in a number of ways and there is a lot of

case law that in fact protect non-conforming uses. There are certain circumstances under which regulations could be determined takings and those have to be challenged in court. The law has allowed -- let me go back in terms of when things become non-conforming. Anytime there's a change in land use regulations like zoning laws, there is a risk that something will become non-conforming because a building was constructed or in this case an advertising sign was constructed under one set of rules and then new ordinances are passed that change those. Those are legal, if they have occupancy permits they are called legal non-conforming uses because they were established and they can continue forever. So I think the issue that is being discussed is how much of the existing inventory of outdoor advertising signs will become non-conforming under this regulation.

Michelle Madoff:

Would we have a liability as a city if we don't let them rebuild what the liability to the City would be in the non-conforming. I don't know if there would be any, I'm trying to find out, I'm asking a question.

Mr. Zottola:

If there's a determination of a taking then there must be compensation.

Michelle Madoff:

We're not talking about a straight taking because we all know that. We all know what happened at the Bloomfield Bridge, we wanted that open and either we negotiated or -- there have been signs since I've been here that we've paid a lot of money because we took the sign and the taxpayers paid heavily. Now this may not fall into that category. Don't say to me to cloud the issue that yes if it's a taking we have to pay for it. I know that but I'm asking with these signs of which there are half the revenue could possibly fall into the category even the other signs of which there are 85 percent fall into the category of if we do not let them rebuild for some reason that they have recourse to the taxpayer and what kind of damage could we get from that kind of litigation? It's not an unreasonable question.

Mr. Armstrong:

Bear in mind that this proposal doesn't take down one sign and the issue you're raising is what would happen if a sign for some reason were damaged or deteriorated over time. My physical inspection of these signs would indicate that they will outlast everyone in this room. They will certainly go well into the next century. These are very well constructed. I think issue

probably was of some concern to the industry 10 or 15 years ago when they had the flimsy wooden structures --

Michelle Madoff:

-- I don't think that's what I'm talking about. That's not my question.

The Chair:

The answer to the question you posed --

Michelle Madoff:

-- that's not the question I posed. The question was, if the sign was taken by the person who rents it out -- if someone redevelops the property and says you cannot be on this part, I want my sign removed. And then they have no right under this law to put up another sign; is that correct?

Mr. Armstrong:

Subject to spacing requirements they could.

Michelle Madoff:

That's what I want to know. I'm hearing both sides and I'm hearing things that are very contradictory and I'm trying to be an informed voter so I want to know what is fact and what is fiction and one of the things you just answered for me is no, they do not lose the right to have a sign; is that correct? I was told by the industry yes, we lose the right to have a sign.

Mr. Zottola:

They would lose the sign if they could not find another district where they could place a sign that would meet setback requirements, permitted use requirements and all of the other requirements under the ordinance including height.

Michelle Madoff:

What chance is there of that in a city of this size?

Mr. Zottola:

We determined that there was testimony that there was one sign placed last year and more signs taken down. There was a serious discussion in our sub-committee as to adding "C3" districts and again in eliminating the signs from there because that was another form of regulation making them non-conforming and there was a serious concern that an argument could be made that that was a taking also.

Michelle Madoff:

My last two questions are, where is the evidence, where is your documentation Mr. Zottola to show this body before we vote that there will be significant damage is what you are saying potentially and Mr. Armstrong you're saying there will not be and I want to know why continually the City comes to this table and doesn't answer the questions -- this one says they are going to kill us and the other one says it's going to be wonderful and it's going to make us healthy.

The Chair:

Michelle, the Planning Commission is in a different situation than a director and Mr. Armstrong voted for it and Mr. Zottola voted against it and they grappled with the issue too.

Michelle Madoff:

Mr. Chairman, when you grapple with an issue you look at the evidence. As a lawyer you look at both sides of the coin. Obviously somebody had to have documentation that said, "Look folks, if you take these signs away we can't replace it. This is what the damage is going to be us over the next ten years before the initial investment of the \$40 million is recaptured." Now I'm hearing that that's not so. There will not be that damage. I'd like to see that before I vote on it; is that unreasonable? My inclination right now is that both of the bills -- the one that the committee passed and the one that Mr. Ferlo introduced are pabulum. They really are very weak bills and they are not going to make any significant difference but I would like to see what significant damage there would be and I know for a fact that the minute we vote on this bill it will be into the courts and I want to know what the liability of this city would be and I think that's a responsible position that I'm taking. Do you think I'm being irresponsible?

Mr. Armstrong:

Your concern that the companies involved here may be damaged by this proposal, I think in fact on the contrary it could be argued that what we're establishing for them is a monopoly which would significantly enhance the value of their business.

Michelle Madoff:

I'm glad you raised that because that's educational and I hadn't thought of that and that's a very important and a very valid point.

Mr. Armstrong:

It's true.

The Chair:

Other discussion?

(AT THIS POINT I WAS TEMPORARILY RELIEVED BY HELEN L. KRIEBEL)
(CONTINUED ON NEXT PAGE WITH NO LOSS OF CONTEXT)

MARY ANNE HRUSKA
STENOTYPE REPORTER

(CONTINUED COMMENTS ON BILLS NO. 1178, 1179 & 1180)

Mr. O'Connor:

How would they have a monopoly? There is no cap number. You can build 100 where some other guy can come in and build 20.

Mr. Armstrong:

I don't know the business, certainly, as well as they do, but based on the spacing requirements, I think it would be very difficult for an outside competitor to come into the market. Basically they would have a greater control in this market and could regulate prices based on that control.

Mr. O'Connor:

On that train of thought, I think everybody is agreeing that we should somehow restrict them, too; we don't want 2,000 signs in the next ten years. But by your commission or whichever, and you brought up a good point by spacing them, is that controlling them indirectly?

Mr. Zottola:

Yes, it is.

Michelle Madoff:

I never got to ask my last question.

Mr. O'Connor:

At least I feel if there are 1,000 billboards that is enough, but they can always be better or if they put up a better one here, they take a poor one down, whether it be a sightseeing problem or detrimental to the neighborhood.

Mr. Zottola:

There is more control.

Mr. O'Connor:

Mr. Ferlo doesn't want to put them out of business, but everybody seems to be worried about them going out of business. To follow-up on Michelle, she brings up a very good point. If you redevelop an area or whatever and ten signs have to be moved, if they are 750, they can't be rebuilt there. Now at least they can be smaller. So there is damage.

(Deleted text.)

Mr. Cohen:

Any other discussion on the amendments? I have a couple of questions. I have been trying to study the zoning map for my Council district, I have it here. And I don't know, if, Henry, you can zoom in on this or not, but this gives you a sense of what the zoning map is for at least one-ninth of the City of Pittsburgh (indicating). And I think probably what this goes to, Jane, is how much we need to revise our zoning map. There are probably 150 different zoning classifications just in a six neighborhood district.

But I am looking at the "C-3" and "C-4" areas, and I just want to have a complete understanding of these amendments.

Liberty Avenue in Bloomfield, Baum and Centre, Craig Street, part of Craig Street in North Oakland, Forbes Avenue in Squirrel Hill, those all would be affected by these amendments. I am wondering, it really goes back to kind of the initial question that Councilman Onorato had about certain signs in his district. Take the one as you are coming off the Bloomfield Bridge on Liberty Avenue, onto Liberty Avenue, and there are two signs, I don't know if you know where I am talking about, two signs right on top of each other on the left as you are coming up Liberty Avenue. Are those within the 378 feet or are those 750 feet?

Mr. Brown:

378. That is on the Thoroughfare lot, or Foodland lot.

Mr. Cohen:

That's right. Mr. Brown, in terms of height, can you take an educated guess as to what the height is of those signs?

Mr. Brown:

Top of the sign to grade for those two are probably, since there are two signs there, it is probably about 40 feet in height.

Mr. Cohen:

The lower one would probably be 30 feet?

Mr. Brown:

Yes.

Mr. Cohen:

Okay That gives me a sense of what these amendments address, because it would allow that type of sign in a

neighborhood business district, in a "C-3" or "C-4" district.

I am prepared to vote for these amendments. Does anybody else have discussion on them?

Mr. Ferlo:

I want to re-emphasize, we are talking about the future construction, that hundreds and hundreds of billboards will continue to exist upwards of 750 square feet in "C-3" and "C-4". We are talking about in the instance where on rare occasions future boards would be reconstructed on the legal non-conforming issue, which is in a rare instance.

Mr. O'Connor:

One last problem I have with voting for this, if Michelle's figures are right, that is 50 percent of their business, that is bothering me.

If we eliminate 750, that eliminates 50 percent of their revenue.

Mr. Zottola:

Yes, in the city as a whole.

Mr. Armstrong:

Although it wouldn't affect their revenue, because the boards are in place and they are legal and they are going to continue to be used.

Mr. O'Connor:

Everybody misses the point. If, for whatever reason, a building or bridge comes in or something, then that is eliminated, they can only scale down.

Mr. Armstrong:

I think experience will show that they over a period of time don't lose too many boards and they do have similar control over those boards through ownership or paying more on leases.

Mr. O'Connor:

We have restricted their signs, that is my problem.

Mr. Armstrong:

Right.

Mr. O'Connor:

That is half their revenue.

(Deleted text.)

Mr. Onorato:

First I would like to say thank you, John, for all the time you put in on both recommendations, and Councilman Ferlo for his long and hard work.

Once again, this is another issue that ends up on our table here and we have to weigh all the facts and evidence and make an intelligent decision on which way we should be moved forward as a city. A lot of time has passed. I met with representatives of the industry, I met with unions, I met with neighborhood individuals, I met with people on both sides of the issue, and extreme sides of the issues; one that basically liked the status quo and people that want to ban billboards.

I told Mr. Ferlo the bill that he was originally supportive of that it was too restrictive for me, I couldn't live with that. I asked if he would be willing to amend, and he said yes. We put back in the "C-3" and the "C-4". I think that was critical.

What we have to weigh when we look at these issues, what exactly do we want in the city, and we have a lot of issues to look at. One, obviously, are the jobs; we can't ignore that, there are good union jobs and that is why I thought the original bill was too restrictive in that we don't want to just eliminate them in every other district.

However, with these amendments I want to make it clear that I think the industry can still thrive. 750 feet permitted in "M-2", "M-3" and "M-4", and that was an amendment that we had to put back. To put 378 in all the districts was, I felt, too restrictive and you would just eliminate 750s in the city entirely. But let's make that clear: 750 feet are allowed in the "Ms". The "C-3" and "C-4", "C-3" are neighborhood business districts, I thought it was important that we permit billboards in those districts, and we are permitting them. 378 square feet, that is a nice size billboard for a neighborhood business district. I think that if that is what is required, that is the playing field we are setting up.

In regards to what industry it is, everyone has to play on the same field, and we are going to have competition and we are going to have a free enterprise working here, and I would guess that anyone in this particular business will adapt for future development to be at that size billboard because there is a need for it, there are jobs involved and people want to advertise on billboards, it is a very important way of advertising. That is why it was critical that we allow these in there.

However, there is another interest. These are neighborhood business districts, which means there are residential areas

right around them, and we have to be sensitive to their needs. These are the individuals that elected me, and this is where I live. These are areas that we do not want the largest billboard you can build and that we have to have some type of control.

I feel that this is a reasonable compromise taking in the interest of the industry and from the neighborhoods who oppose any billboards. I think there are the union's interest, and we look at all the interests and come up with something that will work. We have a mix that Michelle talked about of the 80 percent of the billboards or something to that affect in the "C-3" are 750. Fine. I agree with you on one point, Mr. Armstrong, that these billboards will probably be around for a long time. They are built well. And what I would see over the next few years or 20 years is that we are going to have a mixture in these districts, probably closer to 50/50, maybe 60/40 of 750 and the new, small ones that are permitted.

But the point here is that we are not eliminating them, we are going to permit them, and what we will do is actually improve on the neighborhood side by allowing advertising for the small businesses, and at the same time the residents won't have to worry about if they want to call it a billboard blight of the large signs, because "C-3", the advertisement should be for the buildings that are in that area and these type of signs will work.

I think it is a good compromise. I am willing to support it at this point because we are permitting billboards and we are permitting future billboards to be constructed in the City of Pittsburgh. I want to stress that point. We are permitting future billboards to be built in "C-3", "C-4", "M-2", "M-3" and "M-4". "C-3" and "C-4" will be permitted at 378, "M-2", "M-3", and "M-4" will be permitted at 750. The only district removed is "C-5" from what is currently permitted. We are removing one. Mr. Ferlo supported a bill to remove three, we are putting two back in. So one is being removed, and "C-5", I understand, is the Downtown area, so what is down here is permitted. But the entire city which was currently permitted is pretty much in place as it is right now with this amendment, except for the size requirement in "C-3" and "C-4". So the industry should thrive, should move forward, but we have new rules for the game.

I think jobs will be developed, jobs will continue, and that if there is a taking of some kind because of a development for whatever reason in a "C-3" or "C-4", fine, we replace them with the smaller signs within the requirements we are building here, but we still have our advertisement and we do not lose those jobs because we are going to deal with new signs being put up in those districts. That was my concern. I am willing to move forward at this point.

(Transcribed by Helen L. Kriebel, Stenotype Reporter)

Mr. O'Connor:

You're recommending keeping it at 750 in "C4" and "C5"?

Dir. Downing:

The one that is on the table to the one that is in the black box as amended. That was the staff's proposal.

Mr. O'Connor:

In other words you agreed with keeping the 750 in "C4" and "C5".

Dir. Downing:

The staff recommendation was that -- the Planning Commission actually approved 378 and you amended the allowing of the 750 in the industrial zone.

Mr. Ferlo:

It would still be coming from 750 signs.

Mr. O'Connor:

In the future again what we're dealing with maybe more than clearer than anything else -- I agree with you that it might take 30 years for any of this to happen, we're still putting a burden on their business to market their items and that bothers me.

Is there, going down that list you're very close on some items, the 30 feet isn't brand new and you both agreed on the 4 except not to exceed 30 above elevator roadways.

Mr. Zottola:

That's correct.

Mr. O'Connor:

In other words, we're going down to 30 again. We took that from 45 to 30 again.

Mr. Zottola:

In the recommendations by Councilman Ferlo, the height limitations he's suggesting are 30 feet.

Mr. Ferlo:

We just amended the bill to 30 feet.

Mr. Onorato:

Clarify that though. The 30 feet for "C3" and "C4".

Mr. Zottola:

Yes.

Mr. Onorato:

I think 30 feet -- the "M's", perhaps he's retaining 45 feet for the "M's".

Mr. O'Connor:

So it's only in those two?

The other major -- if we're going down that list, if you look at spacing, Your recommendation went from 500 or 1,000 on a restricted access? Mr. Ferlo went up to -- is he the same as -- why are we different here?

Mr. Ferlo:

The bill that's actually on the table is the bill of the Planning Commission and not Councilman Ferlo.

Dir. Downing:

The current ordinance allows spacing depending on how roads are defined. Most are restricted access highways and new advertising signs must be 1500 feet from any other sign. On the rest of the roads it's 500. So in that respect the bill that the Planning Commission forwarded to you stays the same. What is different is how it is measured. The current ordinance measures on the same side of the street with the face of the signs facing in the same direction. What the new recommendation is is in fact you take both sides of the street and you measure front and back so it is a substantially different way of measuring.

Mr. Ferlo:

It's to reduce the stacking and the multiplying.

Mr. O'Connor:

You have agreed to eliminate the stacking.

Mr. Zottola:

Yes, the deck signs, that's correct.

Mr. O'Connor:

Everybody is in agreement with that. What is wrong with the side-by-side? We took the stacking away but you're recommending to keep it side-by-side.

Mr. Zottola:

Yes. We recommended, the subcommittee didn't see a difficulty in permitting signs that were side-by-side to remain

Mr. O'Connor:

Your bill does not address that. You're against side-by-side.

Dir. Downing:

The Planning Commission recommendation was to eliminate the side-by-side type of construction for new advertising signs.

Mr. O'Connor:

I'd like to at least keep that in if we could vote on that. They've eliminated the stacking -- what are the signs side-by-side?

Dir. Downing:

I believe there is an overall size limitation if they are side-by-side or --

Mr. Zottola:

-- the sub-committee's recommendation was to maintain two side-by-side signs the maximum square footage being 750 for the two put together so it would be providing for 350 or 375 and 3' for each sign not to exceed 750 feet.

Mr. O'Connor:

So you wouldn't put two 750's next to each other.

Mr. Zottola:

No.

Dir. Downing:

I believe there's a spacing, an area limitation on side-by-sides now; right?

Mr. Brown:

The spacing would apply to any sign whether it's single, side-by-side or whatever.

Dir. Downing:

The size of the sign. Is it limited 750?

Mr. Brown:

Presently the sign size is limited to 1200 square feet and if you want it back-to-back or side-by-side then it's reduced to 750 square feet per each face.

Mr. O'Connor:

I would recommend -- at least we keep -- they are only doing two sides -- again you're helping their marking and they can have two signs with two different areas and it's still at 750 square feet.

Mr. Brown:

I think the side-by-side might be more common for the 12 by 25 rather than the larger 14 by 48. I don't think that they have side-by-side the larger ones anywhere. I can't think of any in the city.

Mr. O'Connor:

This is eliminating the small signs.

Mr. Brown:

This would eliminate the smaller ones side-by-side.

Mr. O'Connor:

You can't put two small ones side-by-side.

Mr. Brown:

That's correct. The proposal would not do that.

Mr. Zottola:

We recommended retaining the side-by-sides but the total square footage not to exceed 750 so it we'd maintain the 350 or 375 maximum per sign.

Mr. O'Connor:

I would recommend amending that and leave in. I would like to have a vote on that.

Mr. Ricciardi:

I think there's an amendment on the table.

The Chair:

We voted on the amendment Mr. Ricciardi. We have a discussion on the bill. Mr. O'Connor could propose an amendment at this time.

Mr. O'Connor:

I'm proposing an amendment on the side-by-side. It's an amendment to keep the two signs side-by-side and they would not exceed 750.

Mr. Ferlo:

My only point is that this is a major weakening of the bill. I'm trying to dealing with the aesthetics and massing of these signs --

Michelle Madoff:

-- they're already stacked.

The Chair:

Mr. O'Connor, please clarify your amendment.

Mr. O'Connor:

Section 987 I recommend that we have two side-by-side.

The Chair:

On the amended bill? The whole bill is 987.

Mr. O'Connor:

The number of advertising sign structures be limited to one structure per zoning lot which shall contain no more than two separate signs. The faces may be arranged back-to-back, side-by-side provided that when the two faces are involved each face shall not exceed 750 in an area if the faces are oriented in different directions or 300 square feet if the faces are oriented in the same direction.

The Chair:

So that's an amendment to the bill which is on Page Three, sub-letter D there.

The Chair:

Is there a second on the motion?

Mr. Onorato:

I will second it for discussion.

Mr. Ferlo:

We're talking about the future construction of billboards on future billboards. The hundreds of billboards that exist around the city including those right now that may be side-by-side would continue to be side-by-side long after anybody remembers Bob O'Connor's name or Jim Ferlo's name, decades and centuries.

The effort here was to try deal with the aesthetics and deal with the massing of these signs and that's why there was a consensus by the Planning Commission to deal -- again we're talking about the future construction, not anything that's already up there now. We're trying to deal with the manner in which these things are either stacked or side-by-side or back to back or the spacing. I feel it's a major weakening, it's totally an industry attempt to satisfy the industry without being reasonable to a legitimate criticism by the community.

The Chair:

Any other discussion on the amendment? If not we're going to have a roll call vote.

Mr. Onorato:

Real quick on the amendment. Would the amendment -- you're saying side-by-side 750. What if it's in "C3" or "C4", are you going to limit side-by-side at 378 total?

Mr. O'Connor:

If this amendment would pass.

Mr. Onorato:

It is passed.

Mr. O'Connor:

I think it should be available everywhere because you're still keeping the same size of the sign at 378. In other words it helps marketing to have two different advertisers.

ROLL CALL

AYES

Mr. Wagner
Mr. O'Connor

NOES

Mr. Ferlo
Mr. Darkins
Michelle Madoff
Mr. Onorato
Mr. Ricciardi
Mr. Cohen

ABSTAIN

AYES

2

NOES

6

The Chair:

Mr. O'Connor, you still have the floor.

Mr. O'Connor:

The next part is the size and height of the signs. I'd like to try to amend that.

The Section "F" at the bottom of Page Three, -- I'm trying to go along with what the Commission, the Committee recommended I'm reading what he recommended. "Along restricted access highways or interchange ramps, therefore no two signs shall be spaced less than 1,000 feet apart. Along any other right-of-way no two sign structures shall be spaced less than 500 feet apart."

In the third party of your recommendation, "The distance between sign structures shall be measured along the center line for a pertinent right-of-way at points directly opposite the sign faced along either side of the travel way or any intersecting street where signs are visible from both sides of the street or ways. A structure with its face visible to the following traffic in one direction only not need be measured with the sign faced visible to traffic in the opposite direction." That's what you recommend?

Mr. Zottola:

That's what the sub-committee recommended, yes.

The Chair:

Mr. O'Connor, that is in the middle of Page Four, it's the old section after the new Section G in the middle of Page Four

It sounds like you want to substitute back in the section that was taken out, Mr. O'Connor?

Mr. O'Connor:

Yes.

The Chair:

Is there a second on the amendment?

Dir. Downing:

There's a correction. I don't think it is actually literally what is written here. What was taken out here is the existing ordinance and what I believe the Councilman is trying to do is reflect the wording of the committee which is different than that which is underlined here.

Mr. Ferlo:

It's clear that Mr. O'Connor is offering back in wording that the company has offered and that's his right to do that and I don't dispute that but I just have a disagreement with the process where we're pointing to Mr. Zottola as a spokesperson. What I would like to have somebody else on that sub-committee at the table also to contact some people. I think it's a very unfair process. We have a formal bill from the Planning Commission and I think that is the bill that we should be talking about.

Mr. O'Connor:

Let's save time here --

Mr. Ferlo:

-- that is not the bill that's on the table. The bill on the table is the formally, legally adopted recommendation from the Planning Commission.

The Chair:

Any Councilmember can ask any member sitting here a question if he or she wants to.

Mr. Ferlo:

I'm not disputing that. I would also like though the opportunity for the Planning Commission representatives to at least defend the bill that they sent over and not all of a sudden say that that is the not the bill on the table.

The Chair:

Why don't we do it this way. Because we have a split in the Planning Commission --

Mr. Ferlo:

-- there is no split in the Planning Commission.

The Chair:

Let me make this clear. There was a divided vote, that's what I meant. Clearly there was a majority vote of 4 to 1 in favor of bill that you substituted by amendment. For every question that's asked of Mr. Zottola, I think Mr. Armstrong should have a chance to speak to and vice-versa.

Mr. Ricciardi:

Just a point of order and I know Mr. Cohen you agree with this. Mr. O'Connor, even though I disagree with the amendments and will be voting no against these amendments, he has every right to put forth these amendments but before we do that I think what we should do is Mr. O'Connor has put forth an amendment and I think Mr. Cohen has second it and let's stay with this amendment if we can and Mr. O'Connor maybe you should defend that amendment now.

The Chair:

I seconded it for purposes of discussion.

Mr. O'Connor:

I'd like to ask Mr. Zottola to explain why you recommended this.

Mr. Zottola:

The ordinance that currently exists in terms of the recommendations for spacing, it's measurements are for signs that are facing in the same direction on the same side of the street and provides for a 1500 feet in spacing under those circumstances and 500 feet if they are not on a restricted access highway. The sub-committee -- in order to avoid gating of signs, under the current ordinance you just measure the signs as they are on the same side of the street, made recommendations to avoid a situation where you would have gating that is two signs across a roadway from each other, made recommendation that you would measure from the sign faces and measure on both sides of the street and that the distances would be 1,000 feet on the restricted access highways and 500 feet on the other roadways. The proposal that was approved measured

from the structure and not from the signface. It was the sub-committee's belief that if we were dealing with advertising signs we were to measure from the face of the advertising signs and not from the structure itself so the actual difference between the two recommendations are the point from which you measure from.

Mr. O'Connor:

They are recommending 1500?

Mr. Zottola:

Yes. That is extending an additional 500 feet also.

Mr. O'Connor:

By their recommendation in certain areas the longer it's spread the less billboards can come in or rebuild.

Mr. Zottola:

That's correct.

Mr. O'Connor:

I think it's very clear that we're killing this industry. We can vote on this amendment but we're talking about it and I think Michelle mentioned it, we're really worried about jobs right now and I don't know if this is the time to be that restrictive that we're really going to hurt any growth at all.

The Chair:

Any other discussion?

Mr. Ferlo:

I want to say that what's being attempted here is systematically gutting this bill by putting back in all the industry proposals. This was done out of the appreciation and concern about what is happening in the terms of the dynamic and billboard construction over the many decades and that when you go along corridors like Banksville Road or Baum Boulevard or many other places, you see billboard on top of billboard on top of billboard and you look to your right and across the street and you see billboard on top of billboard on top of billboard. That's what the intent of the bill is and that is to try deal with closing these loopholes that the industry has taken advantage of. And if I can say it once I'll say it 10,000 times, this involves the future construction and permitting of billboards in the future. There will be hundreds of boards right now that are stacked on top of each other on each side of

the street on opposite sides of the street up and down Banksville, Baum Boulevard that will continue to exist long after Bob O'Connor is gone and long after Jim Ferlo is gone. But to systematically now go back and gut this bill, if we're going to completely gut the bill then I would urge that we table this whole action rather than have a bill that is totally meaningless.

The Chair:

I put forth what I thought was the fairest process to do this and that includes having Mr. Armstrong speak to these issues too. Mr. Armstrong, you have an opportunity to speak to this amendment.

Mr. Armstrong:

Rather than killing the industry what we're doing is insulating the industry from future competition. If you bring to mind certain gateways into the city, for example, East Ohio Street coming in from the 31st Street Bridge in towards the Heinz plant, there are more than 30 boards in that very brief stretch of highway. I think they could use a little dose of strict spacing requirements to hopefully clean up areas like that in the future. Think of Second Avenue between Greenfield and Hazelwood; they are very close together. I think a little dose of spacing would do them a lot of good and it certainly wouldn't hurt them from a business standpoint because no other competitors can come into the market and undercut their prices so I think in fact we may be doing the converse of a taking. I think we're enhancing the value of their business.

Mr. O'Connor:

You bring up a good point and if I'm a small businessman who wants to advertise in the future, Martin Media has me by the -- they have me and it's unfair. I think there's a gentleman here who talked to us who's a small sign owner who owns five signs in the city. You're telling him that Martin Media is going to put him out of business and Martin Media will charge anything they want. If I pay \$600.00 a sign now and five years from now it could be \$6,000.00. The competition is what keeps this country going and again you're restricting competition if I'm reading you right.

Mr. Armstrong:

I think what will dictate the price of billboard advertising in the future is the excess supply. I think we're seeing that every day when we drive through the city and see all the signs that are given away. They're not really given away necessarily for purposes of being good citizens although I admire them for that. I think they're given away because

there's a lack of solid demand from people who want to pay the legitimate market price and there are other companies in the market that can provide the competition that we might want to see.

Mr. O'Connor:

We're trying to scale them down.

Mr. Onorato:

On the amendment, I think it's very important that Mr. O'Connor brings these amendments forward because the discussion is healthy. Even if they don't pass and I don't support them, it's important that we all understand them and I hope you put them together and work them out. I wanted to make that clear because I think that not having the discussion is worse than having the discussion on this amendment.

If we leave it the way it is and we do not adopt this amendment, so we're facing in the either direction on either side of the street 500 feet. If I read this right that means if I have a sign going inbound and a sign going outbound and they are 200 feet apart from each other and we're looking at either side of the street, that to put a new sign up for spacing it has to be 500 feet from either end of these two going in either direction?

Mr. Brown:

It would have to be both sides in opposite directions 500 feet if it's on a normal city street or 1500 feet if it's on a restricted access highway which is a road designated on the zoning map.

Mr. Onorato:

So the 500 feet is the distance between the signs, between each sign.

Mr. Brown:

Correct.

Mr. Onorato:

And 1500 on restricted access streets. I don't mind the numbers because they are the numbers that we currently use, however we're saying facing on the same side of the street. So 500 feet, I don't see that as a major problem. I know we have two different sides here. I guess first of all ask Mr. Zottola -- do you see if we go looking at either side, either

direction on the street that 500 as a major impediment for the industry?

Mr. Zottola:

The sub-committee had -- again the recommendations were made taking all of the aspects as a whole. There were concessions made by parties in lowering the size of the signs in return for other concessions. What was done here in the subcommittee is making a recommendation that is stricter than the current ordinance and our concern was if advertising signs are what we're concerned about that is the signface, that your measurements should be taken from the advertising signface and not from the structure itself. That's the sole difference between the subcommittee recommendation.

Mr. Onorato:

One final question on the amendment. Bringing up the point that Councilman Ferlo brought up, taking into consideration what we're dealing with in reality, the signs that are currently up and they stay for future development, doesn't it appear that it's reasonable that in future development we're going to require 500 feet because we have a lot that are within 500 currently.

Mr. Armstrong:

The issue is not the 500 because both the committee and the Commission recommended 500.

Mr. Onorato:

So 500 is not in dispute it's how we're going to measure it is in dispute.

Mr. Armstrong:

That's a key issue.

Mr. Ferlo:

This is an attempt to recognize that we already have significant stacking on top of each other on both sides of the street and we're being reasonable in terms of the future construction and permitting of billboards.

Secondly, I want to point out Mr. O'Connor's concern about competition. There are two smaller competitors to Gateway and to Martin who have entered this market and in fact I would call your attention to an enormous billboard that was built at Baum and Millvale next to Samreny's parking lot. There's an enormous mammoth structure that was built and it's 378 square feet and

when you see it you're going to think it's a 1200 square foot billboard so there is competition entering the market even within the city boundaries.

Mr. Wagner:

Mr. O'Connor and Mr. Zottola and Mr. Armstrong and Director Downing, where does his recommendation fall under the proposal in front of us? what category is that one?

Dir. Downing:

The far right.

Mr. Wagner:

It is the sub-committee's recommendation?

Dir. Downing:

Yes.

The Chair:

Roll Call vote on that amendment.

<u>AYES</u>		<u>NOES</u>	<u>ABSTAIN</u>
Mr. O'Connor		Mr. Darkins	
Mr. Wagner		Mr. Ferlo	
		Michelle Madoff	
		Mr. Onorato	
		Mr. Ricciardi	
		Mr. Cohen	
AYES	2	NOES	6

Mr. Darkins:

Mr. Chairman, I really think that we have danced with this long enough. The music is running out and somebody is not going to have a partner, let's call a vote. We have been here long enough on this and I'm not taking control of the meeting or anything but we have up and down and up and down and Mr. Chairman I really think that you should call the vote. That's being realistic. We can be here another two hours and you're not going to do any more than what you're doing right now.

The Chair:

Let me respond if I may. I respect what you just said because it's been a long meeting. Unfortunately everybody has an opportunity to present amendments if they want to present amendments and we can't deny them that opportunity.

Mr. Darkins:

I'm not opposed to that. I'm not opposed to any of my colleagues on Council. We have had meetings, we have had hearings and we know what we're going to do, either it's up or down.

The Chair:

I have sympathy with what you said because I'm pretty tired of it too.

What I'd like to do to tie this all up because Mr. Darkins raises a good point. Ask your final question Mr. O'Connor and everybody will then be able to make a final statement and please keep the statement as brief as possible and we're going to have a vote.

Mr. O'Connor:

How many new billboards are we building in the last three or four years?

Dir. Downing:

I have information that Mr. Brown prepared earlier and let me just read it. In 1986 there were 13; in 1987 there were 4; in 1988 5; in 1989 there were 3, in 1990 there were 8; in 1991, 5 and 1992 there were 9. Those Are new signs.

Mr. O'Connor:

Do you know how many came down?

Dir. Downing:

The industry has testified that over the last ten years I believe over 200 have come down. I think the net reduction is 200 and something. Clearly more have come down.

Mr. O'Connor:

So we've lost probably 150 in the last ten years.

Mr. Brown:

It's 237 is the industry's figure lost in the past ten years.

Mr. O'Connor:

I'm worried about Martin Media having a monopoly no matter which way we vote. If we really restrict it, they are the only guys going to have signs here and their prices can skyrocket.

Maybe you're doing them a big favor. You're not helping the small businessman or the person who wants to rent that sign.

Mr. Ricciardi:

I will be brief. I believe the Planning Commission bill before us today places reasonable restrictions on the future construction of billboards and in no way affects the current billboards throughout the City of Pittsburgh, no way affects the status quo. As a matter of fact, I don't believe the industry or the number of jobs will suffer because of these restrictions we're placing on future billboards. If jobs have suffered that's because of high technology and I think industry will admit this, much of their work now is sent outside the city, outside the county, outside the state.

We often talk about our city being the city of a view and it's true. We have magnificent views throughout the City of Pittsburgh. You go to any neighborhood, the Northside, the Southside and you can see something in the city and you come out of the Ft. Pitt Tunnel and we often talk about that when we have visitors inside the city. Not once have I heard any residents talk about billboards being part of the magnificent view. I think some of the other restrictions we didn't talk about really protect this view, really protect our riverfronts because we talk about development in the riverfronts, we talk about the millions of dollars that have been invested in the neighborhoods and especially in the commercial residential neighborhoods and all we're talking about is a restriction of size and a restriction of height. I'm comfortable with the bill today I think it should be supported by my colleagues. Thank you, Mr. Cohen.

Mr. Ferlo:

I want to say as I have said all along, the Planning Commission bill that is on the table before us, Bill No. 1178 as amended by the Planning Commission is an extremely reasonable prudent bill and the amendments that we have offered have actually made it too much reasonable prudent bill so I would ask consideration and support for the measure.

Mr. O'Connor:

I'm going to abstain on today's vote because I have lot more questions and I would hope that we could work with Mr. Ferlo to make sure we still protect the industry and the jobs that at least -- I've been called by every union in this city that's worried about this bill and frankly I had a town hall meeting last night in Swisshelm Park and I've been to Taylor Alderdice High School and 80 percent of the people -- billboards are not really bothering them. I think I represent more than the average person that I spend most of my time with

and they don't have a problem with but I'd like to work it out where it's beneficial to the city and to the billboard industry and the jobs they represent and I'll abstain today and hopefully we can work out better arrangements.

Mr. Onorato:

Once again I think that there are two or three different interests involved here. This appears to be the best compromise and it allows the industry to prosper and at the same time we're sensitive to the neighborhood's concern and their esthetic value of what they have to live next to and look at. I'm ready to vote on the bill and I think we should move forward.

Michelle Madoff:

The one question wasn't asked and maybe it applies or not. If somebody has a building or a house and they want to put a sign or sell it to somebody, does that fall under the billboard legislation? You see it Downtown and you see it in Oakland and you see a house and if someone puts a sign up on their house or they put a sign on their wall, they sell it to make money to pay their rent.

Dir. Downing:

Those kinds of signs are still allowed under these amendments.

Michelle Madoff:

They are exempted from the billboard legislation?

Dir. Downing:

No. If they are advertising off premises products then they are classified as advertising signs. You can also have a sign advertising your business.

Michelle Madoff:

I'm not talking about your business. A building that says "Smoke Camels", is that under the billboard --

Mr. Brown:

-- that would be a billboard type sign. You need a permit in order to do that and it has to be in a proper zone.

Michelle Madoff:

My last question is that I don't understand what Mr. O'Connor is saying. Is he suggesting that all billboard

companies be limited to "x" number of signs, we take one-half of them away? Is that what you're suggesting?

Mr. Darkins:

I'm ready to vote, no comment.

Mr. Wagner:

Mr. Chairman, I will be brief. The sub-committee recommendation I felt was placed reasonable restrictions on billboards and I keep referring to these charts and I believe the amendments made today both Mr. Ferlo's and Mr. O'Connor's were movement back to the sub-committee recommendations of which it appeared as if there was unanimous support of those recommendations and the bill submitted to the Planning Commission.

Just as there has been amendments here at the table or attempts to amend, there were many amendments within the Planning Commission meeting to drastically change this bill from the sub-committee recommendation. At that meeting there was a vote of 4 to 1, I really think with a 9-member Planning Commission we should have a majority of those on the commission to approve. I think the bill has been drastically changed from what I thought was a consensus bill and therefore I'm voting no.

The Chair:

Let me thank Mr. Brown, Director Downing, Mr. Armstrong, Mr. Zottola for coming here and sharing your views with us. This has been an incredibly long discussion but I think a productive discussion. I've grappled with these issues too and have met with representatives of both sides and certainly the neighborhoods, community groups, met with the billboard industry at least two times and I think that it's a balancing act that we do. On the one hand there is the question of jobs and the question of preserving property rights and First Amendment rights, I don't think this bill undercuts that. On the issue of content, a lot of people spoke at the public hearing about having billboards that advertise tobacco and alcohol and my heart agrees that that's a problem. It is a problem and I think that government needs to do more to be able to educate people and intervene to overcome the effects of advertising alcohol and tobacco but just to make it clear, I'm not voting on content on what they say because I think once we get into that we really go down a very, very dangerous trail and my view of the First Amendment is that it allows even companies because there is such a thing as commercial speech to be able to advertise tobacco and alcohol. I think government needs to do more but the reason that I support this bill as substituted and amended is what constantly comes back to me which is how we want the future of our city to be and I think that the City of Pittsburgh's

greatest asset perhaps besides the people of Pittsburgh is its vistas and its tremendous beauty and I think that this is reasonable regulation that will get us toward a more attractive and a more beautiful city that will hopefully bring people back into the city and bring companies back to the city too and I think this is a good compromise.

ROLL CALL

AYES

Mr. Ferlo
Michelle Madoff
Mr. Onorato
Mr. Ricciardi
Mr. Cohen

NOES

Mr. Darkins
Mr. Wagner

ABSTAIN

Mr. O'Connor

AYES 5

NOES 2

ABSTAIN

Mr. Ferlo:

On two other bills related to billboards, Bill No. 1179 and Bill No. 1180, I'd like to make a motion to approve for purposes of discussion.

Mr. Ricciardi:

Second.

Which motion prevailed.

Mr. Ferlo:

These two bills deal with the problem that Michelle highlighted earlier and that is actually what is the level of enforcement licensure and actually what is the knowledge of city government on where and how many and what locations billboards exist throughout the city. It is true that there is a procedure for any new billboards in terms of a permit approval signed by Mr. Brown but the fact of the matter is we don't have an annual licensure inspection tag system and the fee is not reasonable in terms of actually covering the cost to city government for the licensure enforcement. What we actually have right now is the industry paying \$25.00 and that money gets lost to the General Fund and there is not effective enforcement and licensure activity and as far as I'm concerned I think the industry is right when they say it's actually nothing more than a hidden tax because there is no corresponding direct enforcement of licensure and inspection of the billboards. What these two proposals attempt to do is one, increase the fee from \$25.00 to \$40.00 per board citywide as a reasonable attempt to pay for enforcement activity specifically a code enforcement officer, the \$40.00 was computed based on input from Council's Finance

Office as to what the payroll expenditure and fringe benefit costs would be of a code enforcement officer who singularly is responsible for the code enforcement aspects of billboards. And rather than have this money get lost in the General Fund, I have proposed the trend which we've also done with BBI and that is segregate out the income, put it into a trust fund and make the expenditures from that trust fund be specifically for a code enforcement officer.

Right now we cannot tell you how many billboards there are. We get lists annually from the industry but that's not a way to regulate. Any other structure in this city Mr. Brown will tell you that he has files and files and file cabinets full of occupancy permits and he knows specifically what the nature of each structure is in this city, we don't have that actually with billboards. I would ask that you give support to these two bills, they're reasonable, the fee is commensurate with the licensure enforcement activities. In fact, many other local communities charge several hundred dollars for a permit fee which I do not think is reasonable, I think it's generating revenue and I think these fees because they're related to licensure, licensure fees should not be raising general revenue, they should be directly related to what the actual costs are of code enforcement and I would ask for consideration of these two bills.

The Chair:

On Bills No. 1179 and 1180?

Mr. Ferlo:

Bill No. 1179 is the actual creation of the trust fund to deposit the licensure fee and Bill No. 1180 under Public Safety is the actual proposal to have that fee be equal to to the cost of code enforcement which is \$40.00 roughly times the number of wards in the city.

The Chair:

Any discussion?

Mr. Ricciardi:

I have a question. Is Mr. Ferlo proposing that the Administration hire an enforcement officer to do this work or have you figured out that number by working with BBI in terms of premium pay for people to go out?

Mr. Ferlo:

We figured out that a full-time person -- how the Administration implements unfortunately or otherwise is their

prerogative. It would be my hope that there's a singular person be a new hiree or somebody from the existing staff who singularly responsible for code enforcement activity in relation to the billboard. How they administer that I think that's something that we have to ask the Administration through the course of the budget debate or how they're going to implement it. These bills were forwarded to the Board of Code Review and they gave unanimous approval to these two bills.

Mr. Ricciardi:

So your number was projected in terms of manpower and in the projected number of billboards that you believe are in the city.

Mr. Ferlo:

The fee was promulgated based on the person power of one code enforcement officer and fringe benefit costs.

Mr. Ricciardi:

And how many billboards are in the city, is that how you did it?

Mr. Ferlo:

Using the industry's guesstimate since we don't know of 1400.

Mr. O'Connor:

On Part A you're saying a 750 square foot sign would only have to pay \$30.00.

Mr. Ferlo:

I'm raising the second portion of the annual maintenance and inspection for advertising signs, i.e. all billboards.

Mr. O'Connor:

A new sign, a dollar per square foot.

Mr. Ferlo:

That is a different part of the Code. I'm only dealing with the annual fee which is \$25.00 for the per billboard. I want to raise from \$25.00 to \$40.00 per billboard for each and every billboard in the city and I want for take that money and under the other bill, Bill No. 1179, have that money deposited into a code enforcement billboard trust fund that would specifically pay for the expenses for a code enforcement offic

as opposed to just taking the money and letting it get lost in the City's general revenue operating budget and not effectively doing code enforcement.

The other thing that these bills do when actually you would have to have an actual inspection sticker on a billboard which many other communities do around the country.

Mr. Brown:

It's something similar to automobile inspection.

The Chair:

Mr. Brown, what were you saying?

Mr. Brown:

It's something similar to the automobile inspection system. You have to have your car inspected annually with the sticker put on it and this would be similar where an inspector would look at the sign to see if there are no changes in it and make sure that it's substantial.

Michelle Madoff:

I just did some quick calculations and I think that the cost as it is now would almost cover the cost of having someone out earning \$35,000.00 a year. Now there may be some internal costs and I would suggest that we lower it from \$40.00 to \$30.00 instead of leaving it at \$25.00 and just raise it. \$5.00.

Mr. Ferlo:

I'd like Mr. Salac to come to the table so I can ask some questions.

Kurt, when I first approached the Budget Office from Council I made the point that the current \$25.00 fee really does not represent code enforcement because there is no effective code enforcement of the actual billboards. We don't even know the number, we don't know all the locations, we don't have a print out. It amounts to nothing more than taking money and putting it into the general revenue. What I had asked for in fashioning these two bills is not only the creation of a trust fund but that you calculate out what would be the expenditure for an actual code enforcement officer in BBI recognizing whatever their current pay grade is, fringe benefit costs and things of this sort. Michelle, just so you're clear on how this \$40.00 was calculated. In other words, I don't want it to be \$25.00, I don't want it to be \$50.00, I want it to be what is the actual reasonable number.

Mr. Salac:

I don't have the revenue figures. This was basically how we came up with the increase needed for one more code enforcement officer. The idea was to put the money into a trust fund if it was passed.

Michelle Madoff:

If you're getting \$25.00 per board and you multiply it by 1400 boards what do you get?

Mr. Brown:

It's \$35,000.00.

Michelle Madoff:

That's what I got. So I'm saying that if you went to \$30.00 instead of \$40.00, you will still have enough to do the job.

Mr. Ferlo:

I don't have the budget in front of me but the \$40.00 is equal to the actual salary costs and the fringe benefit expenditure for a BBI Code Enforcement Officer.

Mr. Salac:

I have a spread sheet that calculates that.

The Chair:

Let's move this along.

ROLL CALL

AYES

Mr. Ferlo
Mr. O'Connor
Mr. Onorato
Mr. Ricciardi
Mr. Cohen

NOES

Michelle Madoff

AYES 5

NOES 1

(END OF COMMENTS)

PREPARED BY: MARY ANNE HRUSKA
STENOTYPE REPORTER

The Chair:

Is there any further discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. O'Connor
Mr. Darkins	Mr. Onorato
Mr. Ferlo	Mr. Ricciardi
Michelle Madoff	Mr. Wagner
	(Pres't)

AYES 8 NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Mr. Onorato presented

Bill No. 2552

Report of the Committee on Public Safety for April 28, 1993 transmitting one ordinance and one resolution to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 1180

An Ordinance entitled, "An Ordinance amending and supplementing the Pittsburgh Code, Title 10, Building, Chapter 1007, BOCA National Building Code Adoption, Section 1007.02, Changes Specified, Subsection 114.3, New Construction and Alterations by amending No. 8

Signs, Subsection (c) and creating a new subsection 8(d) pertaining to advertising sign fees."

—(SPONSORED BY MR. FERLO)
(AS AMENDED IN COMMITTEE)

Which was read.

Mr. Ferlo:

Mr. Wagner and Members of Council, on Bill 1180, this is a companion bill to the Billboard Trust Fund. This would establish an appropriate fee schedule for each and every billboard in the City, specifically the enforcement licensure fee.

When I originally introduced this bill over a year ago, the anticipation being that the fee would be effective at the beginning of the year. We're already midway through the year. The fee has already been collected, and it would be appropriate at this time to amend this bill so that the effective date of the ordinance in terms of the fee would be January 1, 1994 so that it would be starting next January, not midway right now, since the licensure fee has already been collected.

So, accordingly, I would like to make an amendment, with Mr. Onorato's permission, this is in his committee even though it's my bill, that we amend Bill 1180 by changing the effective date from 1993 to 1994.

Mr. Onorato seconded the motion.

The Chair:

We first need an amendment to bypass the rules due to the fact that it's not in writing.

Mr. Ferlo:

It is in writing.

The Chair:

Okay. I'm sorry.

There is a motion and a second. Is there any discussion on the amendment?

All in favor? Opposed?

WHICH MOTION PREVAILED.

Also,

Bill No. 2477

A Resolution entitled, "Resolution providing for an Agreement or Agreements with the Center For Emergency Medicine of Western Pennsylvania (CEM) to provide Infectious Disease Control Services for a period of five years, for years 1993 through 1997, at a cost not to exceed Seventy-Five Thousand Dollars (\$75,000) in 1993 and One Hundred Thousand Dollars (\$100,000) per year thereafter, and providing for the payment of the cost thereof."

Which was read.

The Chair:

Is there any further discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen
Mr. Darkins
Mr. Ferlo
Michelle Madoff

Mr. Onorato
Mr. Ricciardi
Mr. Wagner
(Pres't)

AYES 7

NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Mr. Ricciardi presented

Bill No. 2553

Report of the Committee on Engineering and Construction for April 28, 1993 transmitting one resolution to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 2179

A Resolution entitled, "Resolution providing for a Contract for the Construction of the Courts Facility Foundation, Package 1 of Phase I, of the New Public Safety Complex; and providing for the payment of the costs thereof."

Which was read.

Mr. Ricciardi:

I will be voting for this bill in the affirmative today. However, my vote today in no way makes a commitment to my vote in the future which would be the Public Safety Building Complex. I still question if we need to reconstruct the Public Safety Building when we put actually hundreds of thousands of dollars into the current one.

So I will be voting for this bill today. I do believe that we'll be saving the City of Pittsburgh upwards of \$1 million in salary and cost, but I've transmitted this information to the Administration that this affirmative vote today

does not tie me into a future vote for the Public Safety Complex, the building. Thank you.

Mr. Ferlo:

In a similar vein, my vote today is to move the project ahead for the courts facility. I think in the long run it makes sense financially in terms of the City's Operating Budget. We're already into a memorandum of understanding and a legal agreement with the County regarding this facility. I think long range does make financial sense, especially in terms of the trade-off with the County on the Operating Budget side.

The other aspect of this facility in terms of the possibility of receiving federal monies for the parking lot aspect to this construction off of the Parkway makes sense for a number of different reasons.

What does not make sense, and I am not voting in favor of this today if it in any way advances the notion of a Public Safety Building. Originally when this was first being debated and considered by this Council, the Public Safety Building was appropriate and it was timely and it was in a period when this Council was grappling with rent at Gateway View Plaza and without any opportunity for the old Public Safety Building. And it was before we purchases one-third of a building at 200 Ross Street.

I already have begun to add up the dollars that we've spent remodeling both outside contractors of which there are about eight outside contracts remodeling the Public Safety Building on Grant Street.

In addition, it's hard to put a value on it in terms of dollars, but I would hope that the Administration would provide that information to us as we requested, and that is the dollar value of the skilled tradespeople on the City payroll

who also spent time on Public Safety Building, the old one on Grant Street, in addition to remodeling, which they did an excellent job at 200 Ross Street.

When you add up those figures, right now it exceeds \$3 million that we have reinvested in one-third of the building at 200 Ross Street relocating a number of Public Safety Bureaus as well as City Planning. As well, we have a substantial multi-million dollar investment in the Public Safety Building. None of that was present in the initial debate around the notion of construction a Public Safety Building.

So, again, in voting today on moving ahead the courts facility, I wholeheartedly support the notion of the transportation parking lot arrangement either at this facility or some of the others that have been mentioned, especially one if it would possibly be located in or near the Civic Arena. I think it would be a big boost to the potential use of that facility.

But the third aspect of this notion of Public Safety, I think needs to go back to the drawing board, and I would not be voting in favor of that.

Mr. Darkins:

Mr. President and my colleagues on Council, especially to Mr. Ricciardi, I have to wave a banner for him because he was so kind and considerate. This bill is from his department on Engineering and Construction. A lot of the people were not aware of what was happening and what was going on and last Wednesday I didn't care to make a statement or talk about it, but today I want to talk about it a little bit.

That is the reason that there are seven stages to this new complex that will be built. And in keeping with what the Mayor's executive order reads, and that is that 25 percent minorities and 10

percent women, it was brought to my attention that I had discovered that they were not complying to the Mayor's executive order. Not only with Director Sculli but also with the Department with J.P. Dick Corporation that's the general contractors. That was the reason for us delaying it.

I must say today that I am voting on this particular project, and this is just for the first phase. As we continue to pursue the construction of this building in the future, I'll be the watch dog here in Council to continue to make sure that we are getting our fair share of participation in regards to the African American community, the 25 percent from minorities and the 10 percent from women. And I trust and hope that as we look into the future that my colleagues on Council will see the simplicity and it's a thing that has to be done. We can no longer sit here as elected officials and deny people of what is going to happen and what is transpiring here in the City of Pittsburgh.

When you look at that Public Safety Complex and when you look in terms of the operation of the Public Safety itself, 75 percent of the people that are prosecuted through this particular building, through Public Safety, 75 percent of them are African American people and I just can't see and I will not tolerate it and I hope that my colleagues will stay with me on that because this is not a thing that is affecting Councilman Duane Darkins. This is a thing that is affecting the entire City of Pittsburgh and we should take a serious look at it. There's no sense in us waiting down the road when you're going to be calling upon people of this nature and people of this content and ask them for support in your future coming elections, whether it be Council or whatever it is. The buck stops here and this is where we start. This is just a first phase and we have agreed, we have found what we were looking for, and on the next phases we'll be moving in the same direction.

Thank you, Mr. President.

The Chair:

There are seven phases, as indicated, and the right way to proceed with this is one phase at a time, I believe, with Council input in each portion of the process.

The Chair:

Is there any further discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. O'Connor
Mr. Darkins	Mr. Onorato
Mr. Ferlo	Mr. Ricciardi
Michelle Madoff	Mr. Wagner
	(Pres't)

AYES 8

NOES none

And a majority of the votes of Council being in the affirmative, the bill passed finally.

MOTIONS AND RESOLUTIONS

Michelle Madoff:

Mr. President and Members of Council, as you recall, we had a rather informative session with a Mr. Dan Terisky about the curfew legislation and whether that legislation would violate the First Amendment. There were so many questions asked by my colleagues.

As you know, this legislation was prepared and researched by someone from the District Attorney's Office and by his students at the University, and they went back and took our questions and they want to come back and give us answers. They're wondering whether May 11th would be an appropriate time for Council to do that so I'm putting that forward and carrying the message to the President of Council. I guess that's the day the students and the people are available to brief Council on what it would mean, how it could be done, and how it would not violate people's rights.

So, I put that forward for your consideration.

The Chair:

As a Post Agenda Meeting or simply an informational meeting?

Michelle Madoff:

I don't know how it was done last time but I think we should carry it in the same vein. If it's informational, I don't care, but I think it's important that we have it.

That takes me to my second item. I have a letter I'd like to read into the record, and it will lead me right into my third item.

This is a letter from the Washington Heights Association of Churches. It's the Bailey Avenue Presbyterian Church, Grace Episcopal Church, Grandview Presbyterian Church, Haven Heights United Methodist Church, Mt. Washington Baptist Church, Mt. Washington Congregational Church, Mt. Washington Free Methodist Church, Mt. Washington United Methodist Church, St. Justin Church, St. Mary of the Mount Church, Zion Evangelical Lutheran Church. It's dated April 28, 1993.

"Dear Members of Pittsburgh City Council,

At the April meeting of the Mount Washington and Duquesne Heights Association of Churches, several of the clergy present expressed concern over the recent increase in incidents of juvenile vandalism, intoxication and anti-social behavior such as littering, harassing local citizens and visitors, loud noise-making and high-speed driving on Grandview Avenue late at night. The availability of illegal chemical substances in the community was also a matter for concern.

It was recognized that awareness of these problems had been noted by the Mayor's Office, City Council and the law enforcement agencies.

A unanimous resolution was passed urging these and other concerned agencies to take strong measures to reduce and, where possible, to eliminate these distressing features from what had been for many years a peaceful and attractive neighborhood, and that these concerns be communicated to you.

As many visitors and sightseers come to Mount Washington particularly in the summer months, we would like them to have a favorable impression of Pittsburghers and their City. For their benefit as well as that of the local residents, we respectfully ask for your concentrated efforts to redress the current situation in the knowledge that you also share our concern and that of the congregations we serve.

Sincerely yours,

Caroline Price-Gibson,
President
Washington Heights Association of Churches

cc: The Chief of Police
City Council
Office of the Mayor

Council Member: Michelle Madoff"

I think that is not just the sentiments of my community in District 2, but I think the sentiments of every neighborhood in the City.

And I think the neighborhood beat police officers will make a difference. I requested and was granted four officers in District 2. One on Bailey and Boggs which has become a gang haven. One on Grandview that we had before, but we're going to need two.

That leads me to my next item. I want to read a letter that I received in my office yesterday and subsequently I went out and met with the people. I think everybody has the letter which is addressed to The Honorable Michelle Madoff.

"Dear Ms. Madoff:

I am writing to let you know that I am concerned about the "crumbling wall" along P.J. McArdle Roadway between the Liberty Bridge and Grandview Avenue. Last Friday, 23 April 1993, at about 4:00 p.m., I was traveling in my car from the architectural firm where I work. After I turned from Grandview Avenue to McArdle towards the Liberty Bridge, a large chunk of the wall fell onto my windshield and smashed the upper right hand corner. I will have to replace my windshield. I felt fragments hit me in the leg on the drivers side. Fortunately, the passenger in my car had the window rolled up. The damage might have been more serious. I came back to check the area around the house and apartment building to see if some person(s) had dropped something. No such luck. There was a guard and only older tourists in the immediate area. Since Mt. Washington is such an attraction in our City, it would be nice if the major road to it was maintained properly.

Please call me if you have any additional information that may help me in the replacement

of my windshield or if you have any questions concerning this matter.

Also, we like this area up here and wish to keep our business here.

Thank you for your attention to this matter.

Yours truly,

Deborah Elliott"

I met with her yesterday afternoon and went down to the site. And may I remind my colleagues that McArdle Roadway was shut down for seven years, either one side of the road or the other or entirely, and multi-millions of dollars were spent. The Administration nickel and dined it. They didn't do it right the first time and it's got to be redone. That wall has been a hazard and my yelling and screaming has brought attention to the fact that the drainage coming off the roadside is a problem.

I will get back to the issue of what I saw but I will tell you that I have been asking the question, and I'm appalled that the trees have been cut down. This is the Pugliano "B' Contract Development doing McArdle. The trees are cut. If the trees are cut there's nothing to hold back the earth. And I asked the question, "Who was the soil consultant? Who said we should take these trees down?" I asked that of Engineering and Construction, the fast-track architectural department, and they said, "Well, it wasn't done recently. This was an old study that said we should take the trees down." We all know you don't have to be a genius to know if you remove the trees and the trees die, what's going to hold the earth back?

In any event, because of those trees going, there is a rather small but significant landslide, and I have pictures of that. There are

two pictures here of the window that was hit by the sliding rocks. There's a picture of the stumps of the trees that show that the hillside cannot be stabilized. This has got to be insanity. And a picture just at the point where the car was damaged on the windshield.

You may all remember the year I brought in in a little red cart hunks of the Larimer Avenue Bridge. *Deja vu*. The wall itself at this point as you go around the curb is rather high. And the top of the wall is completely crumbled so that the rock make up that goes into the cement to create this wall is no longer effective. And what has happened is that this is what is falling off. It falls onto a ledge below. But if any wind, and you know that area is subject to high winds, it's always much windier up there. As a matter of fact, Christopher's Restaurant has always had a net around it, even on the hottest summer days because of the wind factor that goes up to Mouth Washington.

Let me give you an idea. I took my life in my hands and I had cars behind me that were not very happy as I was taking Polaroid shots, but I want to give you an idea, and I'd like my colleagues to take a sample of the weight of this kind of stuff that is sitting here that should be removed. I'm passing out rocks and I tell you that that is just what I could take in a couple of minutes.

Something has to happen now. Not tomorrow. Now.

I called Engineering and Construction and was told that they have a couple of sample patches down near the tunnel to show what material will adhere to the cement wall. The wall itself is just completely falling part and there's no curb. The sewer grates are all open. If somebody was stumbling along there, some of these homeless people, somebody is going to fall right into the sewer line, in through the grates. But

more important, we need somebody to monitor the City Engineering and Construction Division and I believe that is the Controller's Office that does have an engineer.

If I was the decision maker, if I was the benevolent dictator as Mr. Wagner has the power to be because he has the votes of this Council, we'd go out and hire our own consultant in 20 minutes and get an engineer to go out and take a look and tell us what needs to be done immediately. But I suggest that at Midnight tonight for a number of hours we shut down McArdle Roadway. We don't want to do any more damage to the restaurants up there who have suffered through those seven years and the people who live up there.

This is our Niagara Falls. This is our tourist area and this is abominable. Let's close it down and at least clean up the loose debris on the walls. Let's get that out so that we don't have a death or somebody going blind.

The person on the passenger side was not maimed sheerly by an act of God. And because of the way the road is constructed on that side, it's a miracle they didn't go into oncoming traffic.

Obviously we're going to pay whatever they don't get from the insurance company, the differential which is peanuts. But let that be a warning that we could have a multi-million dollar claim on that area. I have been asking, pleading, screaming, trying to get something done and you know what we get. We get the opening of the bridge and the media there and the City saying, "Isn't it wonderful? We opened two months ahead of schedule and we saved \$180,000." Multi-millions of dollars later and seven years later, we open two months before deadline? Which deadline was that? The 900th one? And now it's got to all be redone. As you know, the road has to be shored up because of the bridge end. The wall has to be done. Everyone is very

quiet about it by my asking about the debris that plugged up the drainage, that's being addressed but you see trees, everything, sitting there, and you see the Pugliano van at the bottom of McArdle Roadway.

Well, this has got to stop and we have got to demand, not ask, demand, that something be done today because I will be an amicus to anybody taking that street if we do not act responsibly. And that means this City has got to, as I said, tonight go get the loose debris off, come up with a plan, report to this Council, hopefully by tomorrow, what action will be taken to straighten out that McArdle Roadway. And I ask my colleagues to please join me in a plea, through the President of this Council, that we ask, and Mike, if you could get a letter off by messenger or carrier pigeon, whatever will get their attention, maybe a constable, and get that message over to the Mayor's Office immediately.

I'd like to leave you, it's not funny but on a note of levity. Bill Urbanic was on a little cruise down the river last week and he heard that the word Monongahela was defined as a rather unique word. So he called Carnegie Library and Monongahela means "higher banks breaking off and falling down at places". Boy, it's the Monongahela Roadway; not the McArdle Roadway.

So, I thank you for your support. I hope this visual will mean something. I will start bringing in chunks of that road and they are this big. The curbs are this large that have broken off and sitting there. And we cannot be irresponsible and not move right now, today.

Engineering and Construction, who is that Committee? Mr. Ricciardi? Will you carry the message personally?

Mr. Ricciardi:

I just wanted to say that Michelle's tenacity on this issue obviously is commendable. She has been talking about this for several years now, but it's to the point it has really become a health and safety issue in the area.

I think I would like to ask Alex Sciulli to report to us by tomorrow. And, if you would like, I would like to ask you to call for a post agenda tomorrow and I'll make sure the appropriate people are there.

Michelle Madoff:

I called to the Department and the person who is handling it is indeed the Architectural Department, not the Engineering Department. They were using old studies and they have their own way of doing business, and I said that somebody's windshield was broken and they were sort of a little appalled. But I haven't had a call to say who, what, where, when, what happened. It's like it will go away and Madoff is just mouthing off. And that's not what this is about. This is about the security of any one of us sitting in this room. If the media goes up to Grandview Avenue, if any one of them had their car, their windshield break, you'd see how fast something would happen.

Mr. Ricciardi:

If I may, I'd just like to say, Michelle, I think it's good that you brought it forward in this type of forum because what we've basically done is put the City in a position now that the Administration must realize that they are liable if someone would get hurt on McArdle Roadway because now everyone has been put on notice. So I think your demonstration today is well-intentioned and it really hits the point.

Michelle Madoff:

This isn't the first time. During the run-offs in the winter when the water comes down because the drainage system wasn't working, one of the owners of one of the establishments on Grandview Avenue car hit an icy spot, spun around, and only by the grace of God is he still living.

I don't understand the mentality of an Administration that doesn't look after its welfare and doesn't care about the claims against the City.

So, I hope that we'll all get an answer by tomorrow.

The Chair:

Councilwoman Madoff, if I could interject. I would ask that in addition to Engineering, that we inquire immediately with Public Works due to the fact that they're actually responsible for making sure that an immediate action be taken to make sure that the road is safe and something does not crumble and hit someone as it recently did.

So, Mr. Perry, we should be in contact with them immediately following this meeting, both Engineering and Construction and Public Works to make sure if barriers need to be put up, nets need to be put up, or whatever, that it's done today.

Michelle Madoff:

There's no way to put a net up that I can think of, unless they can put a net across the wall.

But the more important thing, and I don't want this to get lost on anybody, please, here's an Engineering Department that has been working on this issue for umpteen years. And as I repeat, seven of those years either one side of the road or

the other was closed down, or all of it. And now we're putting this other hardship and the trees have been cut down. God knows what kind of erosion that can cause.

I don't trust, with all due respect, Mr. Ricciardi, Engineering and Construction.

Mr. Ricciardi:

We want to make sure the public understands that we don't really control the comments of other personnel.

Michelle Madoff:

I want you to talk to them and relay another message to them. And the other message is that I would like this Council, from our consulting fee, to get an engineer up there right away because if you do something wrong you defend what you did. The trees are gone. What are they going to say? We did the right thing? We looked at an old report?

It reminds me of the time they did a study on police protection for the southern part of the City and the report came back, it was during Flaherty's time, that said that the same person who patrols Carson Street should do Grandview because on a map they're parallel. You'd need a Buck Rogers belt.

I think what we need now is an independent consultant hired by this Council to go up and tell us so that we know not only because of the wall crumbling but that whole wall and the overlooks above it and the impact it could have on this City. And the media coverage we could have nationwide.

Today. We need to go out and get an engineer. Call over to the Engineer's Society and ask for some person that we trust and let's get going.

The Chair:

Mr. Perry, rather than tomorrow, let's attempt to arrange a meeting this afternoon.

Mr. Ferlo:

There's another post agenda tomorrow on the Youth Commission update.

The Chair:

Let's see if we can do it this afternoon.

Mr. Cohen:

Mr. President, first of all, I support Michelle Madoff on the effort that she's making to make that Roadway safe.

On another issue, Mr. President, Pittsburgh City Council has really been at the forefront of an effort to put public pressure on our cable company, TCI of Pennsylvania, against their extremely high cable rates. Unfortunately, until yesterday we had no local authority to have any control over their rates at all. All that we could do, really, was focus on other aspects of the cable TV to be able to try to stop them from engaging in deceptive practices. One example, of course, is the Encore Movie Channel where TCI tried to put a channel on everybody's television, charge them for it, and never ask them if they even wanted it. And we did pass legislation here in City Council last year to prohibit that kind of behavior. But we never had rate regulatory authority. I say until yesterday because late yesterday afternoon the Federal Communications Commission release regulations explaining, among other things, what local communities can do to bring some rate relief to cable customers.

Apparently, and I say apparently because

this was a very, very long set of regulations, it gives local legislative bodies like City Council some power in regulating cable rates at the basic level, plus some authority over rental prices of the remote controls and your converters on your television. It applies specifically to cable companies who have no competition in the area in which they operate, and that, of course, would apply to TCI which is clearly a monopoly.

City Council, not the Mayor's Office, would have this authority because the Pittsburgh City Code and our franchise agreement both say that City Council has power under the Cable Act of 1984 and any laws that are subsequently passed. This is a law that was subsequently passed by the United States Congress last year and it gives City Council some authority. That's the good news.

The bad news is that the FCC rendered this decision in a 500 page document that is dense and technical. I guess we can't really expect much more from our federal bureaucracy but it is a very, very large document and I think it will take everyone who is interested a while to digest the document and to understand it. Perhaps no one right now except for the FCC itself really understands how much power it gives to local municipalities.

I think we need to move aggressively, Mr. President, to review those regulations and to take strong steps toward exercising our newly found power to provide some rate relief to cable subscribers and to limit future rate increases. TCI's rate increases have far exceeded the inflation rate and they've been very insensitive to cable subscribers of whom there are 103,000 in the City of Pittsburgh alone.

What I would like to suggest is that we give Brother Richard Emenecker, the head of General Services and also the head of our Cable Bureau, four weeks to digest these new

regulations and to speak with experts on the subject. And I would like to make a motion to schedule a post agenda meeting on June 1st to be able to have them brief Council. Brother Richard Emenecker, I think, should be there, of course, as well as a representative from the Law Department, and I believe it's Mr. Ashley Schannauer who is in the City Law Department who has been overseeing cable issues, as well as Mr. Dave Farley, the City's lobbyist in Washington.

So I would like to make a motion that we have a post agenda on that day for them to brief Council on what steps we can take to provide rate relief.

As a second part of that motion, I'd like it to be televised. Under Michelle Madoff's legislation that we passed, we do have as of June 1st the right to have two televised Council meetings per month, and I think that this is very appropriate that the first televised post agenda meeting be on Cable TV so that we can make sure that we can communicate through the very medium that those watching are paying for, unfortunately at very excessive rates.

So I'd like to move that we have a post agenda and that it be televised.

Mr. Onorato seconded the motion.

Michelle Madoff:

On the same subject. Did you invite the TCI people? I didn't hear you say that.

Mr. Cohen:

I did not and I don't think that it would be appropriate at this time. I think we should be briefed by our own government officials as to what those regulations say, and then we move to take steps and, of course, inform TCI and get their

opinion on it. But I think the first step should be to be informed by the head of the Cable Bureau as to what steps we can take.

The Chair:

All those in favor? Opposed?

WHICH MOTION PREVAILED.

Mr. Ferlo:

I just want to note on this request, it goes back to the old business that we talked about earlier. We have a request regarding some information from the Administration, albeit another issue. In fact, Brother Richard has a standing commitment to this Council to supply that information. He made it roughly a year ago when we were debating the negative billing. He made a commitment that come April of this year he would supply the information that Mr. Cohen is requesting.

So, I hope again reiterating the request, I hope this time it happens.

On another issue. I would like to make a suggestion, actually a motion, that we have a public hearing at some appropriate time between now and the annual budget deliberations regarding the so called Tow Pound and Public Safety.

I have been here for five years; at least three budget debates that I have participated in in the last five years we've spent a lot of time debating the operations of the Tow Pound. In fact, if you look back through the records, there were a number of policy changes that this Council asked the Administration to make regarding the collection procedures and various other procedures in place at the Tow Pound. To varying degrees they may or may not have been implemented.

I do want to compliment Controller Flaherty and his staff for his recent performance audit of the Tow Pound, but unfortunately it's very alarming when you read through some of the recommendations and some of the concerns that Mr. Flaherty and his staff have raised. I was not totally aware of the \$1.7 million generated by the Tow Pound and, if Mr. Flaherty's observations are correct, that figure is probably less than what it should be in terms of the amount of monies coming back to City government.

If you read through the audit report it is very alarming. He raised similar concerns about the golf course and they turned out to be a very real situation in terms of problems at the golf course. Similarly, there are a number of substantial issues raised by the Controller's performance audit regarding the Tow Pound. And whether you're a City resident or non-City resident, it's probably one of the least experiences that you'd like to have to deal with in terms of dealing with City government and that is either when your car is towed for illegal parking or, in many instances, cars are stolen and they end up in various places either south of the river on 51 or at the Tow Pound.

When you read through the recommendations it's very alarming. Everything from lack of supervision and computer assistance to lack of a cash register, no cash management, very unclear assignment of duties as to who's on first and who's on second out there at the Tow Pound in the collection of the fees.

I do want to point out one point. Mr. Flaherty points out that the Tow Pound should receive contract tower fees from vehicle auctions. The observation from his report says that of the 97 vehicles tested, 31 percent of the vehicles went to the auction in less than 30 days, in violation of State law. I know in many years that I've been here and possibly yourself and

Michelle longer, Mr. Onorato and Mr. Cohen being newer, that I've had three instances at least where we've had to pay claims for cars that were stolen from the lot or cars that went to the auction prematurely.

His observation is that the City lost \$307,000 plus because of auctions most due to the fact that the storage fees accumulated are not actually collected.

He also raises questions about security policies in place when people visit the lot and they are not being escorted to their respective vehicle.

I'm just saying that the Tow Pound situation is alarming. It involves a lot of money. It's not clear to me that of all the budget debates that we've had where Councilmembers have made suggestions and asked that certain things be implemented, in fact various Public Safety Directors have made commitments that we're going to straighten out the Tow Pound. I don't know that we're seeing any light at the end of the tunnel.

I think it would be appropriate to have a televised public hearing between now and the end of the year, before the budget debate again on Public Safety and the Tow Pound, and get an update from the Administration on these recommendations, what is their response, and specifically, what do they need differently from this Council in terms of budget allocations of additional equipment, the staffing rearrangement, security. Whatever the issues are we need to deal with.

But the immediate thing is, the Finance Director of the City, the Budget Officer, the Mayor, need to be very concerned about the whole issue of cash flow out at the Tow Pound. That's an immediate thing that needs to be dealt with while we work longer range to have this

public hearing and focus in on some of the issues that Mr. Flaherty's audit has raised.

Michelle Madoff:

What date would that be?

Mr. Ferlo:

I don't set the dates but I would just urge that this hearing be held in such time that we can deliberate prior to the annual budget debate.

The Chair:

Is that in the form of a motion?

Mr. Ferlo:

My motion is to have a televised public hearing on the operation of the Tow Pound, specifically focusing in on the audit done by the Controller's Office, what the Administration's response is. But I do think a public hearing format would allow citizens and others an opportunity to clearly indicate to Council their individual experience with the Tow Pound.

Michelle Madoff:

Second for discussion. I'd like to expand that hearing to include the present tow contract, the person doing the contract, how that interacts with the City, how that is being dealt with.

And I'd like, if you would, please, to speak to Lou DiNardo and ask him how soon he could have that hearing scheduled. I think we are just seeing the tip of the iceberg.

Mr. Ferlo:

Mr. DiNardo doesn't set the hearings. We set the hearings.

Michelle Madoff:

No, I'm asking when he can have this material ready to meet with us because I'd like it expedited. I don't think you can wait until budget time.

The Chair:

All in favor? Opposed?

WHICH MOTION PREVAILED.

The Chair:

When would you like the hearing, Mr. Ferlo?

Mr. Ferlo:

It's up to you. You set the hearings. I would hope soon but I would give them a few weeks to respond to the audit so we can have a good discussion on what their policies will be.

The Chair:

Approximately a month?

Mr. Ferlo:

Yes.

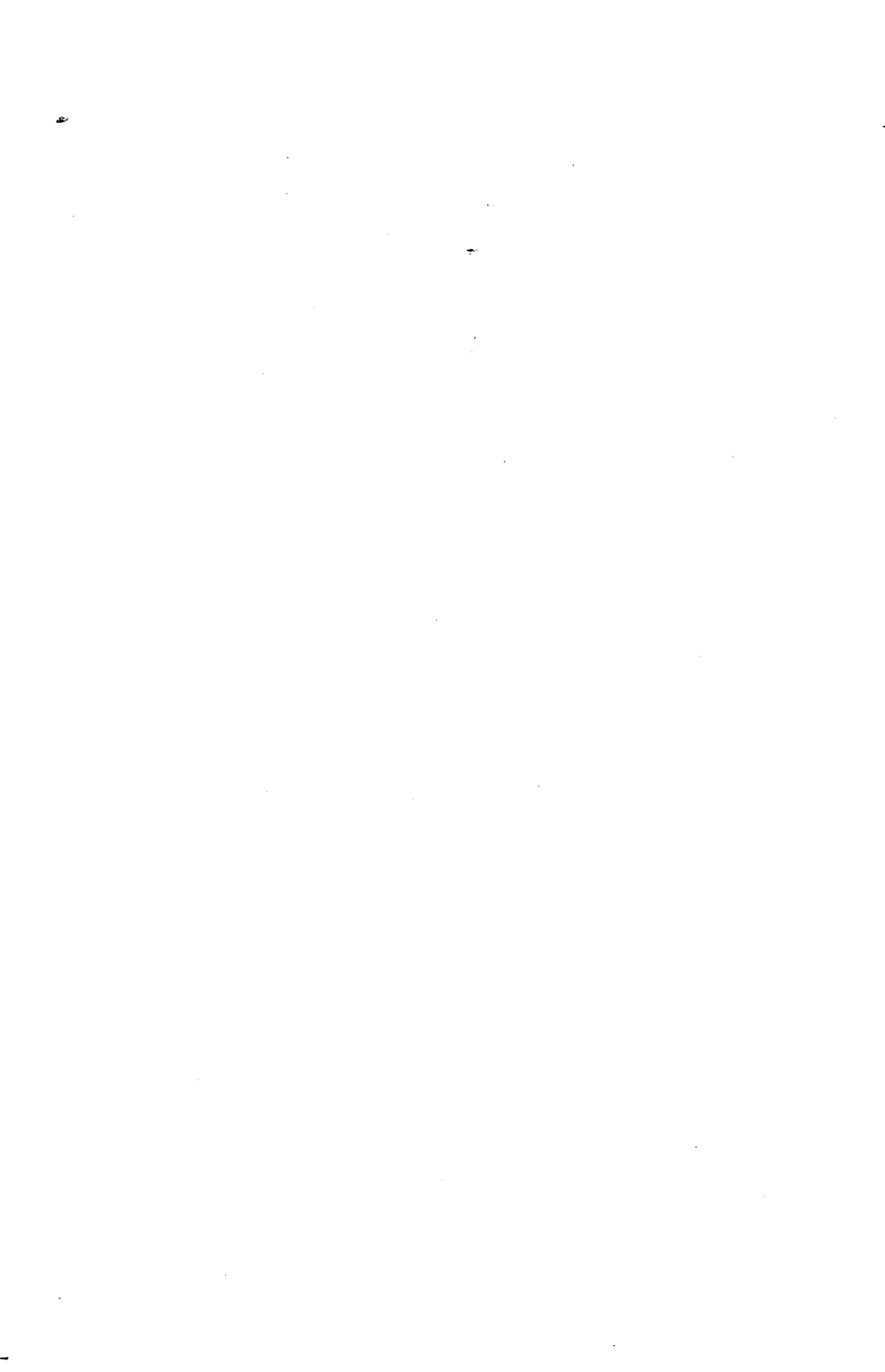
Mr. Ricciardi moved to approve the Minutes of Monday, April 5, 1993.

Michelle Madoff seconded the motion.

Which motion prevailed.

And on the motion of **Michelle Madoff**

Council adjourned.



MUNICIPAL RECORD

Proceedings of the Council of the City of Pittsburgh

VOL. CXXVII

Tuesday, May 11, 1993

No. 19

Municipal Record

ONE-HUNDRED TWENTY-SEVENTH COUNCIL

JACK WAGNER President
MICHAEL PERRY City Clerk
LINDA M. JOHNSON-WASLER.... Asst. City Clerk

Pittsburgh, PA
Tuesday, May 11, 1993

PRESENT:

MR. COHEN	MR. O'CONNOR
MR. DARKINS	MR. ONORATO
MR. FERLO	MR. RICCIARDI
MICHELLE MADOFF	MR. WAGNER
	(Pres't)

The Meeting was opened by the recitation of the Pledge of Allegiance to the Flag of the United States of America, and a moment of silent prayer for peace throughout the world.

I pledge allegiance to the Flag of the United States of America and to the Republic for which it stands, one Nation, under God, indivisible, with liberty and justice for all.

PRESENTATIONS

The Chair:

First, I'd like to welcome the Knoxville Middle School Eighth Grade Scholars Class here to City Council, and the instructor for that class, Jackie Lewis. Welcome.

Mr. Cohen:

This resolution is presented by Councilman O'Connor and myself.

Would the folks from JEI please come up here?

Mr. Cohen and Mr. O'Connor present

No. 2581 WHEREAS, the Jewish Education Institute of Pittsburgh was created by merging the Hebrew Institute, the School of Advanced Jewish Studies, and the Community Day School, a Solomon Shechter Day School; and

WHEREAS, the Jewish Education Institute provides comprehensive educational services for kindergarten students through adults, as well as develops curriculum and trains teachers throughout the Pittsburgh area; and

WHEREAS, the JEI's goals include coordination of educational activities among local agencies, enhancing the quality of instruction City-wide, acting as a community

advocate for Jewish education initiatives, and convening community-wide programs involving adult and family education; and

WHEREAS, the JEI will celebrate these accomplishments on May 16, 1993 at the Westin William Penn Hotel and honor the efforts of Dr. Zipora Gur and Jack Meyers.

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh commends the Jewish Education Institute of Pittsburgh and congratulates the JEI and its special honorees for their fine work and dedication to education and to the community; and

BE IT FURTHER RESOLVED, that the Council of the City of Pittsburgh declares May 16, 1993 to be Jewish Education Institute of Pittsburgh Day in the City of Pittsburgh.

Mr. Cohen moved to adopt the resolution.

Mr. Ricciardi seconded the motion.

Which motion prevailed.

Mr. Cohen:

It's a real honor to be able to present this proclamation to these fine people who are representing JEI today and they include Skip Grimberg who is the Director of JEI; Amy Weiss who is the Chair for the dinner. And, by the way, Amy Weiss has done such a fantastic job that they're expecting 450 people at the dinner on May 16th. Jack Meyers who is Vice-President of the Board and an honoree at the dinner, and Dr. Zipora Gur who is also an honoree at the dinner.

Zippy Gore and I were talking right before this proclamation today and, if you don't mind me saying, she was quite modest and said, "I don't really like recognition so much. The

recognition that I get is through my students." Perhaps that's the best thing that can be said about JEI, is how it addresses education and instills values in it's students.

And, by the way, those students aren't all children. The students go from kindergarten all the way through adult education. Dr. Gur is the Education Director at JEI, so she oversees all of that, including the adult education portion which is a very significant portion.

So, even though you may not have wanted the recognition, you're getting it. Congratulations to all of you.

What I'd like to do is present this proclamation to Skip Grimberg and have him say a few words, and then have Councilman O'Connor wrap it up for us.

Mr. Grimberg:

I'd like to thank Councilmen Cohen and O'Connor for this honor. It is our great pleasure Sunday night to honor Jack Meyers and Zippy Gur for their outstanding work on behalf of Jewish education at the local level, at the national level, and also at the international level. They have both been truly pioneers in developing programming and making Jewish education a top agenda item for our community.

Our organization is only two years old, as Dan said, but we have been very successful thanks to a lot of community support and a lot of people who have taken our mission which is to promote quality Jewish educational programming basically from the cradle to the grave. We have programs for all different ages in addition to the day school and the supplementary high school that we operate.

So, I'd like to thank Councilman O'Connor and Councilman Cohen again for this

great honor, and we thank you very much.

Mr. O'Connor:

I just want to add my congratulations. I was at the dinner last year and it will be a big success this year. But also, the schools you represent have really helped our neighborhood to make it one of the most viable places to live in the City. I know it was quite a task to bring these organizations together. I also know that now you're working with some of the other schools in our district.

So, I congratulate you and salute you on that. We all talking about merging resources and I think they've already done it and you're to be congratulated and I hope we can do that in other fields of this City.

Mr. Cohen:

Would the people from Historic Preservation Week come up, please?

Members of Council, this is an important resolution for Preservation Week in the City of Pittsburgh and I'm happy to read it.

Mr. Cohen presents

No. 2582 WHEREAS, historic preservation helps provide a deeper understanding of the diversity of our uniquely American heritage; and

WHEREAS, historic preservation enhances the livability of communities -- from large metropolitan cities to small, rural farming towns -- across America; and

WHEREAS, Preservation Week 1993 provides an opportunity for citizens of all ages and from all walks of life to make the connection between historic preservation and the aesthetic,

environmental and economic well-being of their communities; and

WHEREAS, "Preservation and Livable Communities: Make the Connection!" is the theme for Preservation Week 1993, co-sponsored locally by Preservation Pittsburgh, the Historic Review Commission, and the National Trust for Historic Preservation, includes an entire month of activities and events to educate the public and celebrate our rich heritage of historic homes and buildings in Pittsburgh.

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh hereby commends Preservation Pittsburgh and the Historic Review Commission for their important work in maintaining our historic buildings and furthering the cause of historic preservation in the City; and

BE IT FURTHER RESOLVED, that Pittsburgh City Council hereby proclaims May 9-15, 1993 as "National Preservation Week" in the City of Pittsburgh and calls upon the people of Pittsburgh to recognize and participate in this special observance.

Mr. Cohen moved to adopt the resolution.

Mr. Ferlo seconded the motion.

Which motion prevailed.

Mr. Cohen:

This is an important week and we have four important people here in the field of historic preservation. They are: Michael Eversmyer who is the Planner with the Historic Preservation Commission; Mary Paradise, of course, the President of Preservation Pittsburgh; Mary McDonough, a very active Board Member of Preservation Pittsburgh; and Tom Schmidt who is the Vice-Chair of the Historic Review

Commission and also the head of the Western Pennsylvania Conservancy that we all know so well in part because of the flower projects all around the City, which is just great for the City. Thank you all for coming here.

You all know about Preservation Pittsburgh which was really started in large part due to Councilman Ferlo's efforts and many members of the City who are interested in historic preservation. This week commemorates all the activities that you're doing to try to preserve our history and our heritage because, unless we do, it will be lost forever.

Thank you all for your work.

Mr. Eversmeyer:

Preservation Week is held during the first part of the month of May each year to celebrate the role that historic preservation plays in improving the livability of our cities and the revitalization of our communities.

The events that will take place during the month of May include activities sponsored by various private and public bodies, preservation organizations and neighborhood groups. These include tours, there's an exhibit that has been mounted in the lobby of the City County Building. And on Friday of this week, the Historic Review Commission will give its annual Preservation Awards honoring the architects and owners who are associated with 16 exemplary preservation projects in the City.

So, we would like to thank City Council for its support for historic preservation efforts, and for the Historic Review Commission, and hope that you will be able to take advantage of some of the events and enjoy some of the events of Preservation Week.

Ms. Paradise:

Thank you, Dan, and I want to thank City Council, too, for their interest in this proclamation that you have offered.

I am honored to receive this proclamation on behalf of Preservation Pittsburgh, it's Board, and the committees in particular who work so hard to accomplish Preservation Week and Preservation Month and cooperated with the HRC, the Historic Review Commission, in seeing that the organizations were able to participate and that the literature was disseminated throughout the City.

During this process, we in Pittsburgh have made a special discovery, and that is a little log house that is the oldest residence in the City of Pittsburgh. That is the Neal Log House located in Schenley Park. So, we have focused our attention this week on that particular log house and we'd like to invite people to come and visit it on Saturday, the 15th. There will be docents conducting a tour and we'll be there to greet people.

On Thursday evening, the 13th, there will be a lecture about log houses and a reception, which is free of charge, by Preservation Pittsburgh, and we invite City Council and anyone who would like to come to come and be part of it. The time for that is from 7:00 until 9:00. Come and bring your friends.

If anyone is interested in learning more about it, just give us a ring at 681-7650, and we'd be glad to help you with any questions.

I want to further say that I feel that Preservation Pittsburgh and City Council have some very common goals and a trusteeship, and that is the preservation of our wonderful City. We have cooperated in this and we feel that it's really vital to the survival of our great treasures

that we have here.

Thank you very much.

Michelle Madoff:

You're a treasure. Without the kind of effort that you give, things wouldn't happen, and I applaud you.

May I also thank the Western Pennsylvania Conservancy. I'm looking forward to those flower plantings at the corner of McArdle and Grandview Avenue.

The Chair:

Where is that log cabin in Schenley Park, Mary?

Ms. Paradise:

It's on Circuit Drive. And we just discovered it. It's been there for 200 years.

The Chair:

Thank you.

Michelle Madoff:

If the former resolution doesn't mind, I'd like to mention that this is probably very much in keeping. This is the preservation of life.

I have a resolution today that I think I've been giving every year. Dan has helped me; Mark Pollock has done it; Jim has been involved. I think everybody on Council has been concerned.

Michelle Madoff presents

No. 2583 WHEREAS, the good health and vitality of all our citizens is of prime concern

and summons our keenest attention; and

WHEREAS, Acquired Immune Deficiency Syndrome (AIDS) is a viral disease that cripples the immune system, leaving the person susceptible to illness which the body can normally resist; and

WHEREAS, the disease is spreading throughout the world, and is an escalating health crisis in the United States; and

WHEREAS, health officials have declared AIDS as the single most serious threat to national health in this century, and estimate that over one million Americans now carry the virus that can lead to AIDS; and

WHEREAS, the Pittsburgh AIDS Task Force, founded in 1985, has become a vitally important community-based agency providing social, practical and emotional support to persons living with AIDS and HIV infection in Allegheny County through a variety of volunteer support programs; and

WHEREAS, for the seventh consecutive year, the Pittsburgh Public Theatre will present "The School of Wives", a benefit performance to raise funds for the Pittsburgh AIDS Task Force (PATF); and

WHEREAS, this performance distinguishes the Public Theater's Annual Benefit as the most successful AIDS fundraiser in Pittsburgh history, as well as the top AIDS fundraiser event in the country among non-profit professional theaters.

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh hereby endorses the Pittsburgh Public Theater's fundraising performance and proclaims the week of May 16 through May 22, 1993 as "AIDS Awareness Week" in the City of

Pittsburgh to highlight education, prevention and compassion.

Michelle Madoff moved to adopt the resolution.

Mr. Darkins seconded the motion.

Which motion prevailed.

Michelle Madoff:

Before I turn the mike over to anyone who would like to make a comment, I don't know if any of you happened to see, and I'm not positive but I'm addicted to 20/20 and 60 Minutes and so on. There was a show talking about some 90 children and adults who had AIDS who had absolutely no history of drugs, blood transfusions or sexual encounters. Children of three, and they don't know how these children and the adults got AIDS or HIV. There is no way of knowing.

That's something for us to ponder on and to stop being homophobic and to start thinking in terms of what we need to do as prevention in the future.

Mr. Neal:

Good morning. You know, it's been over 12 years since the first case of AIDS was diagnosed in the City of Pittsburgh, and since that time a lot has changed. The dynamics of the people that are becoming infected is increasing.

There has been a lot of headway made in heightening awareness of AIDS in our City, but it's very disappointing to know that there are so many of us who know very little about this disease, and it's frightening to see that if we don't make a difference today, that our children and our grandchildren will have a very tough time with this epidemic in their lifetime when they're in charge.

So, we need to have consistent messages about education and prevention and compassion for one another.

I want to acknowledge Michelle and City Council for being consistent because this does mark several years in a row that you've designated a period of time where the City of Pittsburgh now recognizes AIDS Awareness. And I think that the leadership that you show will prove to be a valuable contribution to the fight that we're all engaging in and I appreciate all your support. Thank you very much.

If anyone would like to contact the Pittsburgh AIDS Task Force, you can do that at 242-2500.

And, as Michelle mentioned, there will be a benefit for the Pittsburgh AIDS Task Force at the Pittsburgh Public Theater on the 19th. You can make a check out to the Pittsburgh AIDS Task Force at 905 West Street, Pittsburgh, PA 15221. Thank you.

Mr. O'Connor:

Will the Southwest Seniors please come up? We have with us today Southwest Services Director Ginny Juroscik, Lou Pappan, Minerva Williams, Aaron Thomas and John Lewis, who are being honored.

Members of Council present

No. 2584 WHEREAS, Southwest Services, a private, non-profit organization, funded in part by the Allegheny County Department of Aging and the United Way, having served approximately 93,000 both well and frail older adults since 1973, is honoring its 20th anniversary by sponsoring "Seniors With Spirit!", a year-long celebration of aging; and

WHEREAS, a major highlight of this

celebration is the 1993 Seniors With Spirit! Awards, for persons age 55 and over, who best exemplify this phrase in order to highlight the positive aspects of aging, and to serve as a reminder of what an energizing stage of life it can be; and

WHEREAS, among the award winners are Mayor Sophie Masloff who has been named for the Government category, Louis Pappan for Business and Industry, Paul Long for Media, Minerva Williams of the North Side for the Human Service category, Aaron Thomas of Gibsonia for the category of Community Service, and John Lewis of Mt. Lebanon for his volunteer work with Southwest Services since 1984; and

WHEREAS, award recipients will be honored at the 1993 Seniors With Spirit! Awards Gala Fundraiser on Sunday, May 16, 1993, at the Sheraton Hotel, Station Square, for an evening of dining and dancing, the proceeds from which will enable Southwest Services to continue to meet the needs of the region's growing older adult population.

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh does hereby commend Southwest Services for its efforts to enhance the quality of life for thousands of older adults, and further congratulates the 1993 Seniors With Spirit! Award winners; and

BE IT FURTHER RESOLVED, that the Council of the City of Pittsburgh proclaims May 16, 1993 as "Seniors With Spirit! Day" in the City of Pittsburgh.

Mr. Cohen moved to adopt the resolution.

Mr. Ferlo seconded the motion.

Which motion prevailed.

Mr. O'Connor:

As you see, we always pull together as a group when we support seniors. I think this Council is very enthused and very supportive of all our senior organizations. In fact, last week we had the Citiparks' Senior Centers Over 90 Club here. So, you guys look like a bunch of spring chickens to me this week. How old are you, sir?

Speaker:

On my next birthday I'll be 92.

Mr. O'Connor:

You still look like a spring chicken.

Speaker:

On behalf of Southwest Services, our Board of Directors and our staff, I'd like to thank you for this opportunity of sharing in our 20th anniversary celebration, and also for sharing in our awards presentation and exemplifying and acknowledging the winners of our awards.

The Seniors With Spirit! These individuals truly exemplify the community service and the phrase "Seniors With Spirit".

With that, if permissible, I'm going to let them each say a few words and step back. Thank you again.

Ms. Williams:

I'm Minerva Williams and I'm 79 years old. I've been with the program for 8 years and it has just been a joy and a pleasure. It just makes me happy when I think that I can make somebody else happy. I could say so many things about the program but I just want you to know that I'm grateful to be here and thankful to God for allowing me to appear with this group.

Mr. Thomas:

I want to thank all of you for honoring me here today, and the senior citizens who picked me. I hope God blesses all of us. Thank you.

Mr. Lewis:

I just want to say thank you very much for all of your efforts and your consideration of us. We try to do a service for those who are less able than ourselves, and we are glad to do it. I thank God every day that I am capable of being of service to these people, and I thank you again. Thank you.

Speaker:

Someone once told me that the human body, given proper care, would last a lifetime. So I'm trying to take care of mine.

The Chair:

Thank you, Sir. I hope I look that good if I can make it to 92.

Mr. O'Connor:

Will the Be A Sport Program supporters please come up?

Members of Council present

No. 2585 WHEREAS, it is the birthright of every child to be afforded an opportunity to participate in recreational activities and, furthermore, not to be denied this right due to economic hardship; and

WHEREAS, the generosity of the citizens of Pittsburgh is well known and well founded in a tradition of giving, as time and time again the people of Pittsburgh has responded

generously to ensure that all share in the bounty that this great nation has to offer; and

WHEREAS, from May 12 through May 16, 1993, the second annual "Be A Sport" Days will be held in the City of Pittsburgh, the purpose of this event being to collect new and used recreational equipment which will be given to children who could not otherwise afford it and, further, to supplement the Department of Parks and Recreation's ability to bring meaningful and enjoyable recreational activities to all of whom it serves; and

WHEREAS, "Be A Sport" Days has been made possible due only to the inspiration, dedication and hard work of Manny Gold, Roberta Lando, Franco Harris, Pittsburgh's Firefighters, the men and women of the Departments of Parks and Recreation and General Services, and many others too numerous to mention.

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh wholeheartedly supports this unique program and encourages the residents of the City to participate in this worthwhile project by donating their new and used recreational equipment; and

BE IT FURTHER RESOLVED, that the Council of the City of Pittsburgh proclaims May 12 through May 16, 1993 as "Be A Sport Days" in the City of Pittsburgh.

Mr. O'Connor moved to adopt the resolution.

Mr. Ricciardi seconded the motion.

Which motion prevailed.

Mr. O'Connor:

This is our second year for Be A Sport

Program and as we travel around the City everybody asks us, "What can we do about all the problems we have?" The thing I tell them is to get involved. People have to get involved, whether it be your church, your synagogue, your community. And this is just one small aspect that I think would really help if you could give a used glove, a bat, a ball, a soccer ball, so that we can enhance our programs and get more people involved. But the material thing is only part of it. I think we need a lot more volunteers. What happens when your children get older and you don't coach the Little League anymore? If people get involved, we could solve a lot of the problems that we read about and see every day in our City.

I'm very grateful to the University of Pittsburgh who not only got behind this program a couple weeks ago but has sent out 7,000 letters to all their employees asking them to donate at their pick up spot. Westinghouse Corporation is involved. Not one dime has been collected or spent on this program. Everything is volunteers. So it just shows what we can do if we get behind it.

I was talking to Mr. Ferlo about the Youth Commission and I think this is the idea. If we can get our youth involved and everyone involved, we can do a lot with very little or no money. I think we really need our people.

So, I'd like to thank everybody involved and maybe a couple of you could say a few words. Manny? Come on. Manny's too young to be in the other organization. He didn't want to get involved with that yet.

Mr. Gold:

This project could never have come about if it weren't for Bob O'Connor and his secretaries, Marleen and Lori. They are doing the bulk of the work. We are the hustlers on the outside and I hope that every one of you will join

the bandwagon and get as much of this material so that we can give it to the children who really can't afford it. Thank you.

Speaker:

The Firefighters are very proud to participate in this program. As you probably know, your firefighters are always the first to give and as the challenge is met, we are asked to give more. No one can say no to a cause as worthy as this. Thank you very much.

Speaker:

On behalf of Chief Dickinson and all the Firefighters, we are privileged to help in this program again. As always, we're always there at your fire stations. We're your firefighters and we're always glad to help. Thank you.

Speaker:

Citiparks has to thank Councilman O'Connor and his staff for initiating this program. You do not realize when we were there last year when we distributed all this equipment how many children it helped. We have over 1,000 kids in rookie ball; some of them would not be able to play without these gloves. We had teams this fall in our soccer league that we had uniforms for that wouldn't have been able to participate. So, it's a great program. You just have to see the kids getting the equipment to appreciate it.

Mr. Ferlo:

I obviously applaud Councilman O'Connor as well as the staff and Manny Gold and everybody else who's helping out.

I was just wondering if Bob or one of the gentlemen or ladies here could just explain the dynamics of how you leave the donated sport item at the fire stations or here in City Hall.

During the week, where can people bring them?

Mr. O'Connor:

Starting tomorrow through Sunday, this week, all the fire stations will have pick up stations. So you have five days to drop it off. The firefighters will collect it. And at the Children's Festival on the North Side this weekend. We we really have two basic pick ups. Every City fire station and the Children's Festival for anybody going to the Festival. The University of Pittsburgh has their own pick up for employees at about six locations. The firefighters have been very helpful and what they will do is pick it all up, distribute to the Parks and Recreation, and then we will take it into the different needy neighborhoods and we'll have a distribution day.

As Art said, last year was very touching to see kids get their first new glove or new ball. I know this year Parks and Recreation is very active in starting T-Ball. I know in Hazelwood we're going to start it for the first time. We're going to be in 12 or 13 communities this year all over the City.

Again, all we ask for is bring the kids and any more volunteers that can help. This will certainly supply the gloves.

Mr. Cohen:

I just wanted to take a moment to congratulate all of you. It's very rare these days that somebody comes up with a new idea to help our youth, and Councilman O'Connor has done that with Manny Gold's help and all of your help. I just want to congratulate you. You not only came up with a new idea but a way to implement it, which is fantastic. I know that this was a very successful program last year and I hope it's even more successful this year. Congratulations to all of you.

Mr. Darkins:

I want to commend Councilman O'Connor for a job well done. It's important that you support kids and that you help children and it's wonderful that the Fire Department has made their very stations the place to collect.

Last, but not least, though, is Manny Gold and I'd like to share with my colleagues on Council that he's been doing it a long time. When I think about some 40 some years ago when my father left us, 15 children, it was Manny Gold and his father that gave us our first home that we lived in at 3445 Webster Avenue.

Manny, a lot of people don't know that this has been a continuous thing that you have done.

So, I just wanted to let our video audience know about Manny Gold and also let my colleagues on Council know where I came from.

Thank you, Mr. President.

The Chair:

Thank you, Councilman Darkins. Very warm words.

If I could just add one final note. I believe, and Councilman O'Connor has pretty much told me this and I commend him and all of you, that every single household in this City has an item that could be donated here. It's just not limited to the City of Pittsburgh. And we rely on the media, the written and visual media to get this message out in the region that donations can be made by people that live outside the City of Pittsburgh. It's basically anything related to sports including fishing rods, fishing reels, and anything that young people can use as alternatives to keep them occupied. Thank you. Excellent job.

Mr. O'Connor:

Just to follow up, by advertising and word of mouth, Upper St. Clair and Mount Lebanon Soccer have sent us a whole set of uniforms that are actually one year old. They're like brand new. Mount Lebanon has been very active in getting all their teams in behind us so it's not just a City project. Everybody is willing to start pitching in and help the youngsters because if we're going to stop the problems we have to start solving them at a young age. Thanks for all your help.

Michelle Madoff:

I'd like to ask a question. This is a concentrated effort for a week, is it? What happens the rest of the year? Do we have any place that people who wake up one day and say their moving or can you tell people all year round where they could bring them? Could they bring them to the fire stations?

Mr. O'Connor:

Either the fire stations or the recreation centers. There's 18 recreation centers we have in the City.

Michelle Madoff:

It's easy to remember just the fire stations. And you know, I really want to congratulate the firemen. They not only go out and save lives, put their lives on the line every day, but boy, whenever it comes to something needy, they're the first ones, if I can use the expression, on the firing line.

Mr. O'Connor:

We can never take them for granted. You don't realize how good they are until you need them.

The Chair:

Thank you everyone. Great job.

Mr. Onorato:

I'd like to call up Robert Boudreau and Susan Neszpaul at this point.

Mr. Onorato presents

No. 2586 WHEREAS, the American Wind Symphony Orchestra, which was founded in Pittsburgh 37 years ago for the purpose of promoting the creation and performance of music and music education, and has performed hundreds of free concerts on area waterways from the stage of its floating arts center, Point Counterpoint II - Pride of Pittsburgh; and

WHEREAS, the Orchestra has promoted international goodwill by serving as the cultural ambassador for the City of Pittsburgh, the Commonwealth of Pennsylvania and the United States throughout Europe, Scandinavia, the British Isles and Russia; and

WHEREAS, the Orchestra has established its waterborne home at Allegheny Landing on the North Shore, and will present a series of concerts there on Sunday evenings at 8:00 p.m. between May 23 and July 18; and

WHEREAS, through these free public concerts the Orchestra will enhance the cultural opportunities available to the families of the North Side and the City of Pittsburgh, as well as focus attention on our most important natural resource, the rivers.

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh recognizes the unique cultural contribution the American Wind Symphony

Orchestra brings to the City of Pittsburgh.

Mr. Onorato moved to adopt the resolution.

Mr. Ricciardi seconded the motion.

Which motion prevailed.

Mr. Onorato:

Before I ask Mr. Boudreau to come up and say a few words, I just want to mention that the Wind Symphony was trying to find a permanent home and Allegheny Landing was a particular location that they were interested in. We go through some of the difficulties of dealing with boats that dock there and people that do different recreational activities there and we have a nice balance, and it appears that everyone will benefit from this.

The North Side is waiting for them and it looks to be a very good summer for all of us in the City of Pittsburgh.

Mr. Boudreau:

It's the first time we're going to have a neighborhood. We've always played at the Point before and now we have the North Side.

I guess one of the areas that I'm most pleased about is that our programs are going to be devoted this year, particularly on the opening of May 23rd, to the African American community. We're going to have with us probably the finest composer in the United States, a man by the name of Hale Smith, who will be here for a premier of his work. We're also featuring in the art galleries art of African American women artists.

This vessel will take us and the orchestra to some 50 cities this summer from Pittsburgh to Chattanooga, Tennessee sharing the good of Pittsburgh.

The wonderful thing that's happened this year that has never happened before, in Louisville, Kentucky, the Urban League is going to be our sponsor there. In Nashville, Tennessee, the Urban League is going to be our sponsor there. We're going to be living in Lincoln Heights just north of Cincinnati because the Lincoln Heights Baptist Church is sponsoring us there. And we're going to be living in African American families in Cincinnati, only African American families, in Cincinnati, in Louisville, in Nashville.

We have two cultures in this wonderful city of ours and we must all try to bring these two cultures together more and more, and share more and more. And the way we're doing it on the boat is by making that boat half African American and half White American. And I have told many of the African American people within our community that the park on the North Side must become our park. It's very important that this must begin to happen.

So, I'm delighted to be here. I'm delighted to be back home after some years in Europe. If you remember, this boat went to Leningrad and to Paris for their Bi-Centennial. It was in London, and now it's sitting down here in Pittsburgh. It seems sort of a miracle. And it's a miracle because of the people of Pittsburgh and because of all of you people in City Council.

Councilman Wagner, Councilman O'Connor, Councilman Onorato, Councilman Ferlo, Reverend Darkins, all of you, I want to thank you. 37 years. I think we're probably the oldest performing organization in Pittsburgh on a continual basis of free concerts, and we're looking forward - I'm looking forward, at least, to another 13 to make it 50. Thank you so much.

Mr. Darkins presents

No. 2587 WHEREAS, on Tuesday, May 11, 1993 the Western Regional Office of the Pennsylvania State Civil Service Commission celebrates its 25th anniversary; and

WHEREAS, the anniversary coincides with the national celebration of public service which recognizes the achievement and commitment of 20 million public servants working for a branch or agency of the federal, state or local government; and

WHEREAS, the office is located in the Pittsburgh State Office Building, 300 Liberty Avenue, Room 411, and serves as the Commission's link to Western Pennsylvania; and

WHEREAS, the office is an information resource center to Western Pennsylvania residents seeking state employment, career counseling, and a site where daily civil service tests are given; and

WHEREAS, the 25th commemoration takes place at the Regional Office Governor's Reception Area at 10:00 a.m. with exhibits, displays and demonstrations that chronicle the Commission's presence in Pittsburgh.

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh extends appreciation to the staff of the Western Regional Office of the Pennsylvania State Civil Service Commission for their dedication to serve and provide Pennsylvania residents with access to employment opportunities in the State of Pennsylvania; and

BE IT FURTHER RESOLVED, that the Council of the City of Pittsburgh recognizes Commission Chairperson Ethel S. Barnett for her commitment to maintain and operate an agency devoted to professional standards and policies

that provide Pennsylvania residents with opportunities.

Mr. Darkins moved to adopt the resolution.

Mr. Ferlo seconded the motion.

Which motion prevailed.

The Chair presents

No. 2588 WHEREAS, the Metropolitan Pittsburgh Chapter of the National Association of Health Unit Coordinators, formed in 1988, is hosting an NAHUC Seminar on May 7, 1993; and

WHEREAS, the National Association of Health Unit Coordinators was founded on August 23, 1980 in Phoenix, Arizona when ten concerned unit clerks and instructors met at the first organizational meeting to develop unit coordinating into a recognized health profession; and

WHEREAS, Health Unit Coordinators duties are many; transcribing physicians' orders and entering them into computers, coordinating patient care between various departments, greeting patients and visitors, answering telephones, ordering unit supplies, and keeping communication lines open between the units and ancillary departments; and

WHEREAS, over the last 12 years, the National Association of Health Unit Coordinators has become a vehicle to promote and maintain competent practitioners in the delivery of non-clinical health care services and has developed professional standards of education and practice.

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh does hereby commend the National

Association of Health Unit Coordinators for the valuable service it provides for professionals in-patient health care; and

BE IT FURTHER RESOLVED, that the Council of the City of Pittsburgh congratulates the Metropolitan Pittsburgh Chapter of the NAHUC for entering a fifth year of service to health care professionals in this region, and offers its encouragement for continued success in future seminars and services.

Mr. Cohen moved to adopt the resolution.

Mr. Ferlo seconded the motion.

Which motion prevailed.

Mr. Cohen presented

No. 2561 Resolution providing for the issuance of a \$2,201.30 warrant in favor of Port Authority for vehicle damage incurred when a City vehicle struck a PAT bus, charging same to Code Account No. 46, Judgments.

Also,

No. 2562 Resolution providing for the issuance of a warrant in the sum of \$50,000.00 to Julianne Atkinson and Barbara Atkinson, her mother and guardian, c/o Andrew L. Horvath, Esquire, Berger Kapetan Meyers Rosen Louik & Raizman, P.C., Suite 200, The Frick Building, Pittsburgh, PA 15219-6003, in full and final settlement of the action filed at GD91-18544 alleging personal injury sustained due to a slip and fall at the Aqua Zoo on or about July 27, 1991.

Which were read and referred to the Committee on Finance.

Mr. Darkins presented

No. 2563 Resolution granting unto the Carnegie Institute, 4400 Forbes Avenue, Pittsburgh, PA 15213, their successors and assigns, the privilege and license to construct, maintain and use at their own cost and expense, a transformer vault in a portion of the sidewalk area of General Robinson Street in the 22nd Ward, 6th Council District of the City of Pittsburgh.

Also,

No. 2564 Resolution amending Section 1 of Resolution No. 651, approved August 10, 1987, effective August 10, 1987, entitled, "Vacating Longmore Avenue between Fairacres Avenue and Colebrook Avenue in the 19th Ward of the City of Pittsburgh, excepting and reserving the 6 inch water line and the 12 inch sewer line located in Longmore Avenue.

Also,

No. 2565 Resolution vacating Barkers Place between Penn Avenue and McCrea Way reserving the right of easement of a 12 inch water line and a 36 inch sewer line located therein in the 2nd Ward, 6th Council District of the City of Pittsburgh. A fee of \$1.00 is being charged for this vacation.

Also,

No. 2566 Resolution vacating a portion of Carey Place from South Twenty-Seventh Street to 169.50 feet northwesterly to the already vacated portion of Carey Place reserving the right of easement of a 6 inch water line and a 12 inch sewer line located therein in the 16th Ward, 3rd Council District of the City of Pittsburgh. A fee of \$1.00 is being charged for this vacation.

Which were severally read and referred to the Committee on Public Works.

Mr. Ferlo presented

No. 2567 Resolution providing for a warrant in favor of New Image Press, in the amount of \$261.77 in payment for letterhead and envelopes for Councilman Jim Ferlo, chargeable to and payable from Code Account 1001-1, Miscellaneous Services, Supplies, Equipment, etc., City Council. ---**(SPONSORED BY MR. FERLO)**

Which was read and referred to the Committee on Finance.

Also,

No. 2568 Resolution approving a conditional use application for the construction of an Emergency Medical Services Station on Mossfield Street (Boulevard). ---**(SPONSORED BY MR. FERLO)**

Which was read and referred to the Committee on Planning, Housing and Development.

Also,

No. 2569 Resolution authorizing the Director of the Department of Public Safety and the City Solicitor to acquire the land necessary for construction of the Mossfield Street (Boulevard) EMS Station. ---**(SPONSORED BY MR. FERLO)**

Which was read and referred to the Committee on Public Safety.

Mr. O'Connor presented

No. 2571 Resolution authorizing and directing the Mayor and the Director of Parks and Recreation to enter into a Lease and Agreement with Phipps Conservatory Inc. in connection with the taking over of the conservatory

operation by Phipps Conservatory, Inc. and payment by the City to Phipps Conservatory, Inc. of \$2,100,000 from Conservatory Trust Fund, Code Account PCTF, during the term of the lease.

Which was read and referred to the Committee on Parks and Recreation.

Mr. Onorato presented

No. 2573 Resolution authorizing the issuance of a warrant in the amount of \$15,552.00 in favor of Ralph Eli Construction Co. in payment of contract for demolition and removal of a 4 story commercial and apartment building located at 844 East Ohio Street, Ward 23, without previous authority of law.

Which was read and referred to the Committee on Finance.

The Chair presented

No. 2574 Resolution providing for a warrant in favor of James E. Rooney in the amount of \$3,000.00 in payment for professional services in connection with the Lead Prevention Policy Commission for the months of December, 1992 and January, 1993, chargeable to and payable from the LPPC Trust Fund. ---**(SPONSORED BY MR. WAGNER)**

Which was read and referred to the Committee on Finance.

Also,

No. 2575 Communication from Tom Flaherty, City Controller, submitting the City of Pittsburgh Annual Report for the year ended December 31, 1992.

Also,

No. 2576 Petition from the residents of the City of Pittsburgh requesting a public hearing before City Council to review the appropriateness of the Zoning Board of Adjustment Decision Approval of a "Group Residence" at 1722 Brownsville Road for 27 persons in an "R-2" District.

Which were read, received and filed.

UNFINISHED BUSINESS

Michelle Madoff:

As you may recall, we had Mr. Dan Terisky make a presentation on the curfew and we had a number of questions that concerned the First Amendment. We had a public hearing, it was televised, and we asked him to please give us answers to very specific questions. He has done so. He has five people with him and they are prepared to continue our hearing which was televised, and it will hopefully be continued televised. Mike, I think you have notified Brother Richard about the televising, and we'll continue. Hopefully it won't be too long but we asked the questions and we must have the courtesy to listen to the answers.

Mr. Ferlo:

I'd like to ask the City Clerk, we've asked repeatedly now for any information, financial information, regarding the use of the community development block grant with the understanding that if they do not utilize all of the budgeted monies for the extra police hiring, that Council may desire to re-allocate some of those dollars for either summer recreation activities or possibly the Summer Youth Employment Program. We still have not received that information to my knowledge.

Mr. Perry:

We received that about 15 minutes before the meeting.

Mr. Ferlo:

Okay. Well I'd like to look at that. If we could have that and maybe have a discussion next week.

Secondly, under Old Business, we did ask that Director Walluk of Public Works send an explanation regarding two suspensions. I had raised that issue a few weeks ago. I don't know if we've received anything.

Mr. Perry:

I didn't receive anything on that.

Mr. Ferlo:

This is where people left the work force, were not told that it was an emergency, were not in town over the weekend, and they were given a one day suspension. There's some question about whether that's justifiable and I don't know that we received any information that was requested from Director Walluk, who himself was not in town over that weekend.

REPORTS OF COMMITTEES

Mr. Cohen presented

Bill No. 2577

Report of the Committee on Finance for May 5 1993 transmitting two resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 2497

A Resolution entitled, "Resolution providing for the issuance of a warrant in favor of Government Finance Officers Association, 180 North Michigan Avenue, Chicago, Illinois, 60601, in the amount of \$15,000 in payment for professional services rendered to Pittsburgh City Council." ---**(SPONSORED BY MICHELLE MADOFF)**

Which was read.

Also,

Bill No. 2526

A Resolution entitled, "Resolution providing for the issuance of a warrant in favor of Carl Marshalwitz, 725 North Beatty Street, Pittsburgh, PA 15206, in the amount of \$400.00 in payment for professional services rendered to Councilman Jim Ferlo for the month of May, 1993." ---**(SPONSORED BY MR. FERLO)**

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. O'Connor
Mr. Darkins	Mr. Onorato
Mr. Ferlo	Mr. Ricciardi
Michelle Madoff	Mr. Wagner
	(Pres't)

AYES 8

NOES none

And there being two-thirds of the votes of Council being in the affirmative, the bills passed finally.

Mr. Darkins presented

Bill No. 2578

Report of the Committee on Public Works for May 5 1993 transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 2493

A Resolution entitled, "Resolution authorizing the Director of the Department of Public Works to grant an encroachment permit to Allegheny Housing Rehabilitation Corporation, 5604 Baum Boulevard, Pittsburgh, Pennsylvania 15206, for the installation of one canopy over a portion of the sidewalk area of Peach Way with an address of 1618-22-24 Bedford Avenue in the 3rd Ward, 6th Council District of the City of Pittsburgh."

Which was read.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. O'Connor
Mr. Darkins	Mr. Onorato
Mr. Ferlo	Mr. Ricciardi
Michelle Madoff	Mr. Wagner
	(Pres't)

AYES 8 NOES none

And there being a majority of the votes of Council being in the affirmative, the bill passed finally.

Also,

Bill No. 2494

A Resolution entitled, "Resolution granting unto the Apotolou Associates, 47 Bailey Avenue, Pittsburgh, PA 15211, their successors and assigns, the privilege and license to construct, maintain and use at their own cost and expense, an existing parking pad on a portion of the right-of-way of Jennie Street in the 19th Ward, 2nd Council District of the City of Pittsburgh."

Which was read.

Michelle Madoff:

At the meeting the other day, I was a little hassled and neglected to ask that Bill No. 2494 be held. There's a question of ownership. The URA, I believe, really owns this property and we need to clarify it before we agree to sell it. They're purchasing something because they own it and there's a confusion with the URA and I'd like to have it held until it's cleared up. And I'd like to recommit it for two weeks because next week will be election and there won't be anybody around.

Mr. Darkins seconded the motion.

WHICH MOTION PREVAILED.

Also,

Bill No. 2495

A Resolution entitled, "Resolution granting unto Edwin Miller with an address at 37 Fawn View, McKees Rocks, PA 15136, his successors and assigns, the privilege and license to construct, maintain and use at his own cost and expense, a concrete stoop and steps in the right-of-way of South Twenty-Second Street in the 16th Ward, 3rd Council District of the City of Pittsburgh."

Which was read.

Also,

Bill No. 2496

A Resolution entitled, "Resolution granting unto William G. Haines, 151 Pius Street, Pittsburgh, Pennsylvania 15203, his successors and assigns, the privilege and license to construct, maintain and use at his own cost and expense, two (2) wooden porches over a portion of his sidewalk in the right-of-way of Pius Street in the 17th Ward, 3rd Council District of the City of Pittsburgh."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen

Mr. O'Connor

Mr. Darkins Mr. Onorato
Mr. Ferlo Mr. Ricciardi
Michelle Madoff Mr. Wagner
 (Pres't)

AYES 8 NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Mr. Onorato presented

Bill No. 2579

**Report of the Committee on Public Safety for
May 5 1993 transmitting one ordinance and one
resolution to Council.**

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 2525

An Ordinance entitled, "An Ordinance amending the Pittsburgh Code, Title Six, Conduct, Chapter 603, Parades and Crowds, Section 603.03(c) Permit Fee, by decreasing certain fees."

---(SPONSORED BY MR. FERLO)
(AS AMENDED IN COMMITTEE)

Which was read.

Mr. Ferlo:

On the parade permit fee, I'd like my comments brought forward.

Just to summarize quickly, this came about originally as a result of a number of veteran organizations contacting myself and certainly they have contacted other Councilmembers.

Originally, if you recall, I submitted a bill

creating a waiver specifically for the veterans groups recognizing that they had roughly two large parades each year. The Solicitor rightfully raised some legal questions about the validity of that waiver and her feeling was, and I agree with her, that it would raise a number of legal issues regarding the constitutionality of singling out one particular group. That effort was tabled and subsequent to that the veterans' organizations did receive a waiver under the existing ordinance in terms of financial hardship. However, the whole issue of the parade permits fee again came to question and, as a result, I resubmitted this bill which we're voting on in final form today, and that is after having instituted a few years ago a majority of Councilmembers, with the Administration, instituting the higher fees. I think there's now an effort on this Council's side to at least review the validity of how much money is being collected from the parade permit fees.

And this resolution, basically for the larger parades of which there were ten large parades last year running the main parade route from Centre and Crawford down Fifth Avenue to the Point. And of those ten parades, seven of them paid the \$1,250 fee and three of them paid the \$2,500 fee, three of them being on a police holiday.

These fees specifically would be lowered. The \$1,250 fee, such as the St. Patrick's Day Parade, African American Day Parade, March For Jesus, The Regatta On Parade, Celebrate The Season Parade, that would be reduced to \$250. And in the future, the parades that fall on the holidays of police such as the Columbus Day Parade and some of the others, the Labor Day Parade, would be down to \$500.

There were a total of 118 parades altogether last year in 1992 of which money was collected in the amount roughly over \$20,000. Not much more than \$20,000. Other than those ten main parades in the main parade route, the

other 102 parades were all neighborhood parades that basically paid the \$50 fee.

So, I think this restores some fairness in this whole issue of the parade permit fee, none of which ever really fulfilled this notion of being reimbursement for actual cost recovery for the costs associated with Public Works or Police or Fire, what have you. I think this is a good compromise.

And so that there's not any confusion this year, since obviously some have already paid the higher fee, this ordinance will take effect, and also not to be a budgetary issue, the bill is amended so that the parade permit fees now being proposed would take effect January 1, 1994.

Mr. Onorato:

I'd like my comments brought forward also.

Mike, if you could send a reminder to the Solicitor, it's not urgent, that I requested on Wednesday that she draft a criteria that has to be met before we close down our streets.

There were some concerns raised on Wednesday that any group, regardless of the size, could ask to use the Downtown streets and shut down the Downtown streets.

As long as it's content-neutral, I think we could have legitimate requirement before we close down the street. So, if she could draft those and then we could discuss them after they're introduced.

Mr. O'Connor:

I just want to commend Mr. Ferlo. I think it's an outstanding idea. The small amount of money that we do collect from these worthwhile

groups, they really bring a lot of people Downtown to support the City. So I commend him and I think it's a great idea. It encourages people to not only have the parade but to come Downtown and help the merchants, and everybody wins.

The Chair:

I would also like my comments brought forward on the parade bill.

(REMARKS ON FOLLOWING PAGES)

(MESSRS. FERLO, ONORATO & WAGNER'S COMMENTS)
(Bill No. 2525 - Wednesday, May 5, 1993)

Mr. Ferlo:

I think it would be helpful if the Solicitor could come to the table on this issue.

If you remember, Council unanimously approved a couple weeks ago an exemption of the existing parade permit ordinance exempting veterans' organizations officially recognized by Commonwealth of Pennsylvania knowing full well we are basically talking about the Loyalty Day Parade and annual Veterans' Day Parade. The Solicitor, I believe, rightfully has raised a Constitutional issue regarding showing preferential treatment, albeit a great cause and an important organization, and that is showing preferential treatment favoring one group as opposed to any other groups that might want exemption or special privileges under this obligation to pay the fee. So I think we have a problem that we need to deal with.

Rather than view this as something that we need to battle with the Administration and the Solicitor, I think we should just come to grips with the issue. This issue fundamentally is that a number of groups, albeit even some that paid the fee this past year, feel that the fee, especially for the main parade downtown route, is too restrictive. I did not vote in favor of these fees two years ago, Mr. Ricciardi did not vote in favor of them, Reverend Darkis did not vote in favor of them. Now that we have some new Councilmembers, let's just reopen the whole issue in and of itself of the parade permit fees.

Last year there was roughly \$24,148.00 collected in parade permit fees. I don't have the specific breakdown of how much of that included the fee associated with the main downtown parade route. I can recall six or seven of those parades, whether or not any of those were given special treatment, I don't know. There was a Channel 11 Snow Flake Parade, the Veterans' Day Parade, St. Patrick's, Columbus Day and a few others. I don't have a specific breakdown, I don't know if the Solicitor does.

Before I turn it to the Solicitor, I did not want to wage a battle nor have this Council be in a position of having to try to defend something that I didn't vote for in the first place regarding the Constitutionality of exempting certain kinds of organizations, albeit great organizations like the veterans' groups. I'd rather see if we want to dispense with that issue, hear the comment from the Solicitor and then focus in again on whether or not we think the parade permit fee is, indeed, fair and reasonable, which I don't think it is, because I didn't vote for it in the first place. So I have offered a substitute bill which would do two things: Basically lower that fee to make it more fair for those groups who continue to use the main parade route, while maintaining what the existing ordinance allows and I believe was granted in the last couple weeks, and that is an exemption to a veterans' group for the annual Veterans' Day

Parade. So what I am proposing is that we leave well enough alone on the basic ordinance in terms of the exemption clause where a group can show financial hardship -- although I do think there is a legal issue there, too -- and rather, that we focus in on lowering the amount of money for the parade permit fee.

Ms. Conturo:

I would agree with you on the first point that any provisions or special exemptions that we grant by ordinance for a particular type of parade or a parade that may speak to a particular issue probably would not be upheld. We must treat all parades and all individuals that wish exercise their free speech rights in an equal manner.

(Deleted text.)

Ms. Conturo:

Based on the content of what their parade is about or who they are, that type of special treatment in and of itself would not be upheld.

The whole structure of the parade permit fee was to help the city recoup the significant costs suspended in parades. If you remember when you first adopted these permits, and this was in December of '91, we went through the costs that the city did incur for the large parades downtown, and I think you were given a list of those and a talley of those, and they all significantly exceeded the fee itself that was imposed. It was recognized that there were others that may wish to use the parade permit or the parade route and that they didn't have the financial wherewithal to pay that fee, and the waiver was imposed. Those fees, though, have stayed in place for this '93 budget, and I think the numbers are included as part of the '93 budget. So if you decide that you would like to take another look at these fees, I would suggest that you do it for the '94 budget. I think we have already adopted a '93 budget based on fees you will be collecting from the parades this year.

(Deleted text.)

Mr. Ferlo:

What I was proposing and I was hoping this Council would do would be table the bill that I originally created for specific exemption on veterans', recognizing that they would apply and the Administration has agreed to grant them a waiver based on financial hardship. But I think the same argument the Solicitor uses to explain the rationale of showing preferential treatment for any one group, however we define that legally, I still think could be used based on others protesting, the discretion of the administrator deciding what one group is, in terms of showing

financial hardship. I think the St. Patrick's Day Parade folks could show financial hardship as much as the Veterans' group, I am sure the Columbus Day. Maybe Channel 11 you could nail them down and say, "You are a for profit organization, this is a PF event involving snow flakes and the holidays." But I think there is a lot of very broad legal issues I think that get into how this discretionary waiver is given in terms of the administrator and what he or she is looking at in terms of the income, do they ask for an audited report of the group? I think there is a lot of ambiguity in terms of that interpretation, also.

So what I am proposing is, one, that we table the veterans' notion based on the legal interpretation of the Solicitor and recognizing they, indeed, will be granted this waiver and not get into that whole issue of whether or not that is even legal, but return to the issue of what is fair.

What is going to happen, I think, is that -- and we have seen it already with organizations under the umbrella of being Veterans' groups -- members of Council, to their credit, appropriated moneys to assist that organization in helping to pay this obligation. I am sure next year others will be presented with requests form the Columbus Day or St. Patrick's Day or Groundhog Day or whatever that major issue is in terms of using the major parade route, and we will be charging on one hand -- and this is the same issue I raised years ago with indirect cost recovery with the Grand Prix -- we will be charging on one hand and Council through the other back door is going to be appropriating grants and donation requests. I would say let's compromise and, rather, make the parade permit fee something that is more reasonable. I think a \$250.00 fee and \$500.00 fee are more reasonable and they would address one of the issues that Mr. O'Connor raised; that all the sudden tomorrow do we have all kind of groups requesting to use the main parade route for a parade. I don't think that is going to happen, it hasn't happened historically. So at least if there is some permit fee, 50 for neighborhood parade, 250 for downtown parade route and 500 if it happens to be on a police holiday, none of those moneys actually relate to what the actual costs are to the city, but they create other legal and discretionary and exclusionary problems regarding the whole parade permit fee in the first place. So I think one way to avoid the issue is make it more fair by reducing the fees, and I am proposing that we table the notion of creating one exemption for veteran's groups.

(Deleted text.)

Mr. Onorato:

Solicitor, to address Councilman O'Connor's concern about anyone just coming in and applying to shut down the streets, if I am not mistaken, I think the city has a right to set

guidelines that can actually determine a particular group if they have the right to use the downtown street, as long as we don't base it on content.

Ms. Conturo:

That's right.

Mr. Onorato:

For example, the city has an interest if only five individuals want to shut down the street, as opposed to a group with 200. As long as we don't look at the content and we look at the city's interest versus the group's interest, then we do have a compelling interest to make an argument that we are not going to give you the permit to shut down the street because it is just not right, regardless of what the content is, the numbers are just too small.

Ms. Conturo:

That is possible.

Mr. Onorato:

I would request that possibly we do that, because the fact that we are talking about this on TV, it can be opening up a can of worms. We should look at requirements that are not content based and I think they will be upheld under the Constitution.

Mr. Wagner:

Director, I don't totally agree with that last statement, also, because there really are adjustments made in the budget indirectly every single day of year based on revenues coming in or not coming in or revenues being beyond the projected number, such as the amusement tax collected for sports events if the sports teams make the playoffs versus them not making the playoffs.

Ms. Conturo:

But that is not done by Council.

Mr. Wagner:

It is not done by Council, but it is still a revenue source that comes in that was not there that could certainly take care of a deficit in another line item, and moneys could easily be moved from that line item to this line item to take care of that.

The point I wanted to make was I am not sure where the

precise number is here for parades, and we have talked about this now for two or three years, and originally the Administration came forth to Council at budget time and the proposal was the parade permit fee was to be \$5,000.00 on holidays and \$2,500.00 other days. I remember because I made the amendment to cut that in half at budget time, which is where it sits now, and now Councilman Ferlo is proposing to go lower, and he may be accurate.

There is a proper number and we have never really determined what that proper number is. We know the fees paid by the city taxpayers for a parade exceed the fee that we are charging the parade operator. We know that, that is an absolute. But what I don't want to do is have the fee be so low that anyone who applies for a permit for a parade and that parade is not a substantial parade, but we still have to block off streets in downtown Pittsburgh, people do not come into downtown Pittsburgh to watch the parade, consequently blocked off streets actually is the deterrent to business activity within the downtown. Now, I know that is the way it was previously with some of the parades, such as Loyalty Day Parade which we had traditionally every year which we don't have today and I supported, but there were more people in the Loyalty Day Parade than watching the Loyalty Day Parade. It concerns me, also, that we would have too many parades without many people on streets watching the parade. Sacks Fifth Avenue, for instance, has complained about these parades when they are not a substantial parade to attract enough people in the downtown. They actually work in the reverse as a deterrent to business activity in the downtown.

My point is this: We were supposed to do some studies and analyze this and determine how it impacts the business sector, how it impacts the budget, and I don't believe that has ever been done. But some of these organizations are very legitimate organizations, and the fee is significantly high for them in comparison to their budget for the parade. Some parades have a budget of \$100,000, others have a budget of \$10,000.00, and the fee obviously impacts some far greater than others. And so, you know, the Administration has the resources to differentiate between groups, and I don't think an across the board fee is really the right way to go here. The fees should fluctuate to some degree based on the cost to the taxpayers and the services rendered, and the positive impact that it has or the negative impact it has on the community. It is up to all of you to figure that out and that has never been done.

(Deleted text.)

Mr. Ferlo:

Just one last point, because I do think Mr. Wagner raises some good points. I don't know that we have been creative in recognizing that for good, bad or indifferent, the city is the

living room of the region. I think most non-city resident suburbanites, I think most county officials would agree with downtown being the living room of the region. We are often times used for the major significant parades, and I would think that most of them would be willing to contribute and feel that is something that they would fairly want to see some of their financial tax dollars to be utilized or other dollars. I don't know that we have ever utilized the Pittsburgh Sports and Festival Federation, whatever it is called, as an umbrella group, recognizing they could sort of be -- some of the funding they get from the county or the hotel tax could be used, that the city should be able to make a decent argument to those individuals that some of those dollars should help pay for some of these events that happen within the city but are actually regional in nature.

So I don't think that burden should just fall entirely on the people working in a voluntary way to conduct their parade. I don't think that fees that I am proposing here, \$500.00 and \$250.00, would make it such that all the sudden we will see all these people come out of woodwork hosting parades. I don't think that is going to be the situation. If it is, that is something in the future we can deal with.

As a point of reference, my understanding from John who called BBI is they actually budget or projected in 1993 a sum of a little over \$13,000.00 in revenue for parade permits. So I don't know where this larger figure comes from. Somebody in Finance Department wants to dispute that, they can.

(END OF REMARKS)

(Transcribed by Helen L. Kriebel)

Also,

Bill No. 2544

A Resolution entitled, "Resolution authorizing the City's acceptance of the assignment of the Master Emergency Telecommunications Finance Agreement between the City of Pittsburgh Equipment Leasing Authority and Bell Atlantic TriCon Government Finance, Inc."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. O'Connor
Mr. Darkins	Mr. Onorato
Mr. Ferlo	Mr. Ricciardi
Michelle Madoff	Mr. Wagner
	(Pres't)

AYES 8 NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Mr. Ricciardi presented

Bill No. 2580

Report of the Committee on Engineering and Construction for May 5 1993 transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 2498

A Resolution entitled, "Resolution providing for a Contract or Contracts, or use of existing Contracts in connection with Miscellaneous Repairs to Various Streets and Structures; and providing for the payment of the cost thereof."

Which was read.

Also,

Bill No. 2500

A Resolution entitled, "Resolution providing for a Contract or Contracts, or use of existing Contracts, for the Replacement of the South 12th Street Bridge Superstructure, providing for a Reimbursement Agreement or Agreements with the Commonwealth of Pennsylvania, Department of Transportation; and providing for the payment of the cost thereof."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. O'Connor
Mr. Darkins	Mr. Onorato
Mr. Ferlo	Mr. Ricciardi
Michelle Madoff	Mr. Wagner

(Pres't)

AYES 8

NOES none

And there being a majority of the votes of Council being in the affirmative, the bills passed finally.

Also,

Bill No. 2501

A Resolution entitled, "Resolution further amending Resolution No. 595, effective July 9, 1985, as amended by Resolution No. 810, effective August 22, 1991, as amended by Resolution No. 987, effective October 9, 1992, entitled 'Providing for an Agreement or Agreements, or Supplemental Agreement or Agreements, with a Consultant or Consultants, for Professional Engineering Service in connection with the Design of the Rehabilitation of the Schenley Park Bridge over Boundary Street and for Construction Inspection Services for said project; providing for a Reimbursement Agreement or Agreements with the Commonwealth of Pennsylvania; Department of Transportation; and providing for the payment of the cost thereof,' by increasing the total project allocation by \$50,000.00 from \$500,000.00 to \$550,000.00."

Which was read.

Mr. Cohen:

I'd like to move to recommit Bill No. 2501 and have a brief discussion on that, please.

Michelle Madoff seconded the motion.

Mr. Cohen:

Very briefly, Mr. President. Bill 2501 involves the additional money for the Schenley

Park Bridge. We had some discussion about this last Wednesday and I asked the Assistant Director of the Department of Engineering and Construction, Mr. Fred Reginella, to send us a letter before the final vote, and they, in fact, did that. It came late yesterday afternoon but I didn't see it until this morning.

I'm a little bit bothered by the letter because it seems to dismiss out of hand what a number of historic preservation advocates have been pushing for, and that is to not put those Jersey barriers in the bridge because it would take away from the historic preservation of the bridge, and also to the general attractiveness of it.

We got this letter yesterday and one of the lines in the letter says -- this is from Alex Sciulli signed by Fred Reginella -- it says, "The intervention on the part of the aforementioned groups -- those were the Pennsylvania Historic and Museum Commission and the Historic Review Commission -- "The intervention on the part of the aforementioned groups at this late stage, while based on good and purposeful intentions, has injected a disconcerting note into the normal course of relevant construction activities."

Well, I'm sorry that it's a disconcerting note for the Department but, in fact, I think it's an important note and they go on to dismiss the whole idea of maintaining the historic integrity of the bridge. Maybe it's impossible at this point; I don't really know. But I do think it's worth some further questioning, perhaps even a post agenda on it, and I'd like to ask that Alex Sciulli and Mr. Don Killmeyer, from the Department of Engineering and Construction, be here tomorrow for questioning.

The Chair:

If I'm not mistaken, that information was requested by the preservation groups four, five,

six months ago.

Mr. Cohen:

That's right. I don't want to make it sound as if they have been completely obstructionists because they did meet with many of the folks from the preservation groups on April 26th, and it was a pretty good meeting. And what was said at that meeting was that they wouldn't have to make the decision on the barriers, whether to use the Jersey barriers or this Massachusetts BR2 barrier which is a lot more attractive. They wouldn't have to make that decision until the road bed was poured, and apparently that's not going to happen for another four months.

So, I'm not sure why they're dismissing out of hand today what the preservationists are pushing for.

Mr. Ferlo:

Just to amplify, we're going to have this problem elsewhere around the City where we have significant bridges. I've been upset and I've raised this issue in the past when work was done, albeit by the State, along Bigelow Boulevard. I think there could have been more consideration given to the aesthetics of Bigelow Boulevard from Herron to Downtown in terms of what barrier they used. Obviously, we have to make our roads safer, but I don't know always that there's got to be a conflict or dichotomy between safety and improving road safety, but it has to be at the expense of the aesthetics of the roadway. I don't think that's the case. We didn't get satisfaction on Bigelow Boulevard. I'm disappointed because I remember, and I think Mr. Wagner raised this issue, Mr. Cohen, and it was at least seven or eight months ago that the initial discussion took place regarding the Schenley Bridge. So, I have a feeling that the Department dismissed some of the concerns out of hand and I'm glad that we're recommitting this

bill.

The Chair:

There is a motion and a second for recommitment. All those in favor? Opposed?

WHICH MOTION PREVAILED.

Also,

Bill No. 2504

A Resolution entitled, "Resolution further amending Resolution No. 1348, effective January 1, 1993, entitled 'Adopting and Approving the 1993 Capital Budget and the 1993 Community Development Block Grant Program; and approving the 1993 through 1998 Capital Improvement Program,' by creating funding for EC 93-62, (South 12th Street Bridge Replacement) \$130,000.00 to \$230,000.00."

Which was read.

Also,

Bill No. 2505

A Resolution entitled, "Resolution adopting Official Sewage Facilities Plan for the Iroquois Project."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. O'Connor
Mr. Darkins	Mr. Onorato
Mr. Ferlo	Mr. Ricciardi
Michelle Madoff	Mr. Wagner
	(Pres't)

AYES 8

NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

MOTIONS AND RESOLUTIONS

Michelle Madoff:

Mr. President, I have a number of very brief items that I need to discuss with Council. The first one, you know, our consultant that we hired to do the analysis of the comparison of competitive and competitive negotiated bids called me yesterday at home and wanted to know whether I had seen the articles in both the Wall Street Journal and the New York Times. I said of course I saw them. I didn't see the Times but I did see the Wall Street Journal, and I will provide all my colleagues with copies. Basically, in summary, the Wall Street Journal, May 5th, goes on and gives at length examples of investigations going on all over the country about negotiated bonds.

There is a story right above it, "SCC Launches New Jersey Bond Investigation". And, incidentally, the underwriters that are listed are right here in our City. You might find this interesting and I'll just read one little paragraph.

"Meanwhile, New Jersey said it is changing the way it sells bonds in the wake of the investigations. In an executive order issued by the Governor yesterday, all New Jersey State Departments and Agencies will now open up the

sale of bonds issued to competitive bidding. Previously the State negotiated the bids with underwriters."

Isn't that interesting? A prophet in my own time. One doesn't have to be a genius to know that this is pinstripe patronage and it's got to stop because we're talking about multi-millions of dollars that could go into police hiring, could go into youth programs, could go into all the things that are desperately needed in our communities.

I just wanted to touch upon that and then go to another issue.

As you remember, and I want to thank all my colleagues, last week I brought you up to date on an incident that happened on McArdle Roadway. I want to refresh your minds very quickly. I received this letter. If anybody is watching from the media or if any of the people are here, I received this letter. I did not write it to myself. It's not my writing. I don't even know these people. They just moved to the Mount. And while we've had years and years and years of neglect of McArdle Roadway which I brought up, here's the documentation, back in 1981 that we have recorded but the records don't go back much before that. Resolution after resolution, request after request after request. Photographs taken in 1986 of the wall and it looks exactly the same. Nothing has changed. And the landslides and the deteriorating wall.

The day I received the letter which was a week ago yesterday, I immediately got my polaroid and I went out to take some more photographs. I stopped traffic and I took the loose debris at the top of the wall that had fallen through the windshield of this young couple. Fortunately, there was not a head-on crash. Fortunately, no one was blinded. But the people wrote to me because they were concerned that somebody else, any one of us or any of our

families or anybody else, could go down that road. The reason I raise it today is that all of us could be the same victim of what is going on.

Director Sciulli, all powerful, responded to the landslide, which had nothing to do with it, and literally screamed at me in his office that I was grandstanding, this was political. From 1981, how many times have I brought up the issue of McArdle? Would you say 100 at least? Thank you. To be labeled that this is a political issue is typical media irresponsible reporting.

And I would just like to point out that I said to Alex, "Alex, what would you do if you had broken glass in front of your tire? Wouldn't you pick up the broken glass?" I went out and removed the loose debris that I could reach.

He said to me, "We're not going to do this in your timeframe. We're going to do it in my timeframe. This is just political." I can't believe the behavior of a Director.

I am telling you facts, folks. It happened to me and it could happen to any one of you, just like your barriers on your road that you dared to question. Maybe it could be aesthetically pleasing. How dare you question it, Mr. Cohen.

Anyway, I just want you to know that I never said to shut down McArdle Roadway. I said shut it down for an hour or so in the evening just to remove the debris. I repeat. We've had a number of calls in my office. I did not want McArdle shut down. It was shut down for seven years. It cost almost \$3 million to shut down one lane or the other or the whole road for seven years. And now we have to redo the whole issue all over again.

So, I wanted to tell you if you what happens if you dare to get involved with an issue. You'll get branded. And I think everybody needs to know what this Administration is like and what

it is doing and I think we need to go public.

I also got zapped in the Hritz column which is supposed to be humorous but said something about, it isn't McArdle Roadway that's crumbling; it's my career. That was also in the Saturday newspaper. Talk about irresponsible reporting.

The thing that was really sad about it, I went in to see Mr. Hritz who I've known for 100 years. I showed him the documentation and he said he was sorry. Sorry doesn't cut it and I just want everybody to know that.

Now on to the next subject. On Friday night last, Grandview Avenue was so horrendous that my phone rang almost all night long. I was not there and I picked it up on Voice Mail. On Saturday night I went over to look myself. I counted within one hour 52 blaring radios. These are people living in this area. This is the same newspaper, the Post Gazette, that said, "What is the matter with Council thinking about noise levels? Why don't we deal with important things?"

The police officer up there wanted to do something. He could not because he could not have the noise monitor. I said, "Why not? We have two of them." We're going to have two officers, get them out of bed and say, "Can I please have the little monitor?"

People cannot sleep up there. They urinate on the lawns. They throw stones and bottles over the hillside that we have to clean up.

I want to tell you what happened Friday and Saturday. It was a cruising area. Most of the cars were not from Mount Washington. They had license plates that were from out of town. It was the pick up place for all kids. There appeared to be thousands of cars and thousands of kids. It was an explosive situation.

I stopped my car behind the police officer - who is just wonderful. Our police are truly great. I don't think we have enough of them but they're great. He blocked off Shiloh Street and as he recognized cars he went over to individual cars and said, "I recognize your car or your van with the markings. If I see you coming back here one more time, you're going to get a ticket."

I started to go home, it took me almost an hour because it was the largest parking lot in the world. You couldn't move. Drinking going on with the young kids on the Grandview side, the park side. And I rode back to say, "I forgot to tell you something." He didn't know what to do. One officer. Hundreds and hundreds and hundreds of kids and hundreds of cars. And I said, "Did you know, it just occurred to me, that Grandview Avenue, on the side of the Overlooks, is a park. And we have a law that says that after 11:00 nobody can be in our parks." I said you can get rid of them at that point. He said he knew that.

I just spoke to Commander O'Neill who didn't know that and who I think is a great Commander. I think he's one of the best police officers we've ever had and he's my candidate for anything he wants to do. He's very honest, very straightforward and very hard working. He tells me he has already asked Lou DiNardo for a K-9 police officer to be permanently up on Grandview. We got that last year and we were promised that again this year. But I will tell you there is no way in humanity that one police officer can handle that mass. Can you imagine having those kind of people and one police officer?

We have an explosive situation that is about to erupt.

A woman came out of the building across from the Incline near Shiloh Street, ran down on the street to thank me and thank the police office and said, "You people have done more in 20

minutes than we've been able to do. We can't sleep. We have to go to work in the morning." It is a horrible, horrible situation.

As we walked in I just kiddingly said to Dan, "What's new?" We got a letter that we requested 15 minutes before. Dan said it usually comes 10 minutes before. Well, I just got the letter from Mr. Turner as I was coming in talking about how wonderful - And it's a very upbeat letter. Mr. Onorato and I discussed it briefly. It's about how they're planning to hire new police officers and so on.

Well, what happens when last week somebody calls the police and says that there are two kids ripping off a car at 2:45 in the morning. The police did not come for 35 minutes. They finished stripping the car and they set fire to it. They not only set fire to it, the car set fire to two of the garage doors. The firefighters were there in three seconds. The police, I don't know what happened, and we're going to get the name and the time and everything, and listen to the tape.

There is no way we can put our police through a Xerox. There are not enough police out there. I don't think anybody would argue that point. And I have some great concerns about the 430 police officers scheduled to leave. The normal attrition we have of 40 police officers we have every year.

At this point I'd like to remind everybody that in the next few minutes we have a continuance of our original hearing on the curfew. We asked Mr. Dan Terisky to come back and address our issues because we were concerned about First Amendment problems. There were two attorneys who asked some legal questions, and he agreed that he would go back and get us that information.

I predict that it will not be this Council. It will not be our communities that are going to ask

for, when I say our communities the Squirrel Hill, Shadyside communities, that are going to ask for curfews. When the riots start this summer, and they will, it will be the Afro-American communities that are feeling the blood bath of what's going on up there who are going to ask for this curfew. And if anybody thinks that isn't logical, then we're not using our noggin.

And I really wanted to share this with Council because I feel so strongly that I have been victimized. But I'm tough skinned. I've got the skin of a rhinoceros. You can't be in Council for 15 years without developing some kind of fortitude to deal with these inequities.

I hope that many people do tune in and watch cable because you hear it from the horse's mouth. You don't hear it when it goes to the mill. If the paper says something that's not exactly correct, it's like a broken telephone. The next columnist picks it up and says something that's even worse and then the next columnist picks it up and says it's even worse after that.

I'm really disappointed because I think of the Post Gazette as being much fairer than that, much more just. I've always found them to be a good newspaper and I'm really sort of disappointed in them and I wanted to share that.

And I hope that we'll get on, Mr. President, with listening, if anybody cares to make a comment, fine, but I hope we'll get on with the curfew. These people have been here waiting for us very politely since about 10:00.

Mr. Onorato:

On the same issue. I wasn't going to say anything but I feel that I have to mention a few things.

In response to this letter we received from Mr. Turner, he makes it clear in here that they've

hired a total of 153 additional officers and another class of 40 or so will be coming on hopefully during the year to arrive at that 200 number, or close to that 200 number that we all have been talking about.

Michelle, I know that we've had the promise from the Administration about these retirements that are going to be coming that once we increase the force by 200, all retirements will be one for one and we will not go below the new minimum. I intend to hold them to that. I have no indication from them that they are changing their mind. It appears that this is consistent with what we've been talking about. We are increasing the force and when the retirements are ready we will bring on new officers for every one retired.

I would also just like to comment that I think this Council has to be very careful along with the media that we don't create hysteria that isn't there. Everyone knows that North Side had a pretty rough weekend starting with Friday, but let's not blow it out of proportion. That was far from a riot. That was three thugs that caused a problem.

It's important for this City that we make arrests and we punish and we show people that we're not going to tolerate it. But in no way should we portray what happens in any one of our neighborhoods every once in a while by some gang members, and it's a small number, that the entire City is going up in flames or it's unsafe to walk our streets. That's the furthest thing from the truth. I'll walk the streets in any one of my neighborhoods or any neighborhoods from the individuals here today.

So, while I recognize that there has been an increase in shootings in the City, it's just time that we take these additional officers who patrol our areas and let it be known that we are going to protect parks, streets, corners, whatever it takes. But we will not give in to a few individuals who

seem to be intimidating certain areas. I really believe that we can control it; it just takes a little more effort on our part and with the additional officers we will do it.

Michelle Madoff:

Dan, I think your point is extremely well taken. It was not my intention to say the things that happened. We are not New York. We are not Detroit. We are not L.A. But we don't want to be. And when we see an explosive situation on Grandview Avenue, I'd like to invite you up to join me next Friday and Saturday. I think all of Council has a responsibility to go look. That's our overlook. That's our Niagara Falls of the City. You will agree with me, without question, that something must be done. And I would be irresponsible if I put my head in the sand and pretended I was an ostrich and said that we have enough police officers and this is going to be the answer. We have to factor in vacation days, the cars being down, the police officers having their workers comp problems and so on. The answer is that we don't know the answer. And as you said, you're going to keep watching. You're going to find out.

The fact is, there are 300 hard core gang leaders. They need to be sent away somewhere to a military base. And there are 1,400 wanna be's and they should be rehabilitated. We need to open up our schools and we need positive alternatives. And the program that Mr. Ferlo has originated, Youth Advocacy, is probably the best thing that we have done in the time we have been in Council and we need to support him and we need to go out and raise the money in the private sector. And we need an Administration that is going to work with him. And I don't think anybody here would disagree.

I will close on one note. We didn't get the extra police, the full component, because the Administration wanted to do it. I've been here 15

years and 15 years we put the money in the budget and 15 years the Administrations says, "You're only the Legislative branch; we'll do what we want to do." It's because we hung tough as a united body that we got the police officers. And if anybody takes credit for that, it was this body from the President, Finance Chairman, anybody. We are responsible and we should get credit for it.

Mr. Onorato:

Michelle, let me just clarify. I agree with you. Mount Washington definitely has a problem, and all of our neighborhoods do. I was just addressing the comment on the riots and I just want to be careful that we don't use wrong terms in here to portray a situation that doesn't exist.

What you said is absolutely true. And I also wanted to clarify the point because maybe I misunderstood you but I thought what you were saying is that there was a chance we were going to retire 400 and actually go down. The commitment is that we will not go down. It will be replaced one for one, and I will keep on saying that. And if it does go down, you and I and everyone here should be the first ones to stand up and say, "Wait a second. You told us it would be one for one." That's all I wanted to clarify.

Michelle Madoff:

Let me just clarify one thing. Mike, how long have you been here?

Mr. Perry:

Thirty-two years.

Michelle Madoff:

I've been here 15 budgets. How many times has Council said and the Administration said, "This year we're going to fill the

contingent." And when has it ever happened? Never. And if history teaches us something, we've got to be alert and watching.

Mr. Onorato:

One final comment. I just want to make it clear that we have an additional 153 officers on in 1993, according to this letter.

Michelle Madoff:

We are now in 1993. When I moved to Pittsburgh in 1961, I used to go up to the Hill and listen to jazz. I would go up there at night. I'm scared to go there in the daytime sometimes. The fact is, times are different. When I was a kid we walked in the parks. You don't do that anymore at night. This is a different world. You can't compare the number of police that you had in the '70s to the number of police you need in the '90s. That is just irresponsible.

I did a poll; Mike, do you recall. Every year at budget time I did a budget analysis. And I did a little poll that said, "Would you be willing to pay a little bit more if, indeed, the money went to police and was spent on police?" And they said yes. The mass numbers of the population agreed. But, of course, they didn't trust the Administration.

The Chair:

I agree with Councilman Onorato. I don't want us to send any negative messages about any neighborhood. I was in the Hill District a week and a half ago for a jazz concert and it was great. Half the neighborhood was out for it.

We really can make this City safe but it does take a full commitment of alternatives like the sports for young people, jobs, education, and also policing.

Mr. Ferlo:

I had four issues but I'll reduce it to two in light of the debate here.

I would hope that we would, and I'd like to make a motion that we have a televised public hearing on this resolution that was introduced today regarding Phipps. I've had a lot of calls in my office about what this proposal entails, including a lot of people who work at Phipps that are concerned about what their transfer rights, if any, will be.

Rather than wait another week and a half for the bill to come up and for people to submit a petition, I think if Mr. O'Connor doesn't have any objections, I think we should just schedule at some appropriate time a televised public hearing to deal with this resolution on the Phipps transfer.

The Chair:

So there's a motion to have a public hearing and to televise it.

Michelle Madoff seconded the motion.

Mr. O'Connor:

I agree with you. We have been briefed but very little. So there's a lot of questions that I have and I'm sure, like you said, the employees and a lot of people are concerned, although on the surface it looks good. But I think we have to really check it.

WHICH MOTION PREVAILED.

Mr. Ferlo:

Very briefly. I would like to understand in writing from the Administration what this new arrangement is that somehow the golf course in Schenley Park is being turned over to Mr.

Gumberg.

Now, exactly, what did we agree to when we agree to, albeit I did not vote for it, I was led to believe that CMU was taking the fiduciary as well as the operation and management of the golf course. And I want to understand exactly how, all of a sudden, a real estate interest and a developer and somebody who is obviously very close to this Administration, I'm continually amazed at how Mr. Fred Frank keeps representing all these individuals before Council and carries political favor with the Mayor. All of a sudden now, I understand Mr. Gumberg is taking over the golf course.

Now, if I'm wrong, I would like to be proven wrong by the Administration. I would like to understand what is exactly going on. Is the resolution that this Council supported still in place? Maybe I don't understand the issue but how, all of a sudden, did Mr. Gumberg get involved in this deal with the golf course? And if it is the case, then I would encourage Carol Rosenbloom to sue the City for breach of contract in terms of the way they dealt with her interest.

There is nothing in the final agreement that could not have been negotiated and resolved with Carol Rosenbloom. She was perfectly willing to meet all the requirements, whether it be the alcohol issue, limitations on the parking, whatever the other issues were, including the lighting, all of which could have been met by the one individual who probably spent half of the year, as well as \$25,000 or \$30,000 to put forward a decent proposal. Again, she did not voluntarily submit that proposal. It was at the request of this Administration letting out a request for proposal.

Now, we seem to have gone full circle. Did we get a pig in a poke here? What is the CMU deal and how, all of a sudden, has the Mayor's friend, Mr. Gumberg, emerge as the operator of

this golf course?

Mr. O'Connor:

I was at a meeting last week with CMU and there was a committee of five of us, myself, Mr. Gumberg who is a Trustee at CMU, and three CMU people. What he had mentioned, and he made it very clear that he did not want his company involved at all, but he operates a golf course in Bedford. And they brought one of the managers there just to oversee it this year and CMU is going to pay this gentleman completely separate from Gumberg.

I was there at the meeting. In fact, he specifically said he wanted his company out of it. He didn't want any parts of it but he would volunteer letting -- CMU was looking for somebody to run the thing. They only signed the paper, I think, Friday, so they needed somebody by Monday to manage it. I saw nothing wrong, since he had a golf course with a manager, to bring this manager in and CMU non-profit was going to pay this gentleman just for this summer because there were no changes going to be made.

If you'd like, we should put it in writing if there are any questions. But Mr. Gumberg specifically mentioned that he did not want his name or company involved with this at all.

Mr. Ferlo:

Just in response, the two Administrators that I've talked to, including the Solicitor, including the Parks Director, my questioning to them directly led me to believe that it was Mr. Gumberg who all of a sudden now is the Manager and operating this golf course, or will shortly, through some arrangement with CMU.

So, I'm not refuting what you're saying, Mr. O'Connor, but as far as I'm concerned, this Council has gotten swindled if Mr. Gumberg

somehow ends up with the golf course. Unless, and I hope this is the case, he wants to be a philanthropist, I would welcome that, any help he can give the Parks system, be it Schenley Park or anything else. I would applaud him. In fact, we'll build a statue of him on Grant Street. But, if that's not the case, then I feel that this Council has been led down the primrose path with somebody who has very close ties politically with this Administration.

The whole thing just seems like it stinks and I want to know exactly what is truth from fiction here regarding this issue of Mr. Gumberg and this golf course.

The Chair:

I'm trying to find out what your request is.

Mr. Ferlo:

I think the Administration owes Council, as well as the public, an explanation of what, if any, is in Mr. Gumberg and/or private interest involvement with the negotiated agreement that I believe this Council signed with CMU. That's my motion.

Michelle Madoff seconded the motion.

WHICH MOTION PREVAILED.

Mr. Ferlo:

One last thing, Mr. Wagner, and that is on the salver contract.

I don't know that my district is peculiar as opposed to any of the other districts that were represented here today, but I spent half my week along with my staff getting rid of abandoned cars on City streets as well as cars that end up in private lots, often times absentee landlords.

What I have been fighting for for four year is to try to get the Public Safety Department to issue specifications qualifying certified and/or legitimate salver. These are the individual companies that work with the City and remove these abandoned vehicles. They have requirements by state law; they must keep them for 30 days before they can dispose of them. We've had a lot of discussions and I don't want to reiterate that.

What I was hoping is that rather than narrow down and sign a contract with any one company, in fact there were two people that bid on this contract, Simply Salvage and Mr. Urechko, and I don't know the name of the company. I don't understand why we wouldn't just want to qualify both of them, assuming they meet all the qualifications, and then either divide the City in two zones or just call on them, whoever is available to come out and do this work. I called in a car on Melwood in Polish Hill and it's been over three and a half weeks and I'm sure every one of us has examples where we struggle every day with these darned abandoned cars. I don't understand why the City would lock ourselves into a three year contract with only one company.

My position is, and I would ask that we send a letter to the Public Safety Director, asking for an update on what his intentions are regarding the salver contract. That's my motion but personally I would hope that rather than give the contract to any one company, and again, this is not a bid contract situation, this is more sending out a request for proposal, a meeting of certain specifications, and then qualifying the salver companies to be eligible to take the abandoned vehicles.

Why should we narrow ourselves down to one company for a three year contract? I think it would be better just to see what companies are out there and whoever the police can draw on,

that I would think would help expedite the ability of the City officers and others to get rid of these abandoned vehicles.

So, I would just like to simply ask that we send a letter to the Public Safety Director asking to inform us what the status of this contract is and what his intentions are.

Michelle Madoff seconded the motion.

WHICH MOTION PREVAILED.

The Chair:

Mr. Perry, please put a date on the response on both of those letters. Two weeks, is that sufficient? Thank you.

Mr. Ricciardi:

Mr. Wagner, on a positive note, several months ago I had my staff member, Mr. Bill Fry, do a complete inventory of my district with vacant lots that needed immediate attention. We forwarded that list to the Mayor's Service Center following the process and today I really want to commend NeighborFair for their fine work. Currently, for the past few weeks they've been working in Allentown, Knoxville and Beltzhoover on cleaning up City lots and a few private lots that obviously have to go through the process of BBI and citations.

But I just want to say that those laborers, under the Director of Mr. Bill Harlack, the Foreman, do very, very good work. They work very hard, they do fine work, and it's a great benefit to the neighborhoods.

So, really I'd just like to commend NeighborFair, Mina Gerall, Bill Harlack and those laborers for their fine work.

Mr. O'Connor:

Concerning what Mr. Ferlo brought up, I want to explain what is going on there. I see Mr. Gumberg's name, I know he's a developer, dragged in for what I think what a very honest gesture on his part to help the situation and that's all it amounts to. The only reason he's involved is because he's a trustee at CMU and there was no connection with the City and him and CMU running this, but I would bring them in to have a meeting with you or anybody on Council if there are any questions for that.

The Chair:

Thank you.

Mr. Cohen moved to approve the Minutes of Tuesday, April 13, 1993.

Michelle Madoff seconded the motion.

Which motion prevailed.

Michelle Madoff moved to adjourn this meeting and meet again on Wednesday, May 19, 1993 at 2:00 p.m.

Mr. Onorato seconded the motion.

Which motion prevailed.

And on the motion of **Michelle Madoff**

Council adjourned.

MUNICIPAL RECORD

Proceedings of the Council of the City of Pittsburgh

VOL. CXXVII

Wednesday, May 19, 1993

No. 20

Municipal Record

ONE-HUNDRED TWENTY-SEVENTH COUNCIL

JACK WAGNER President
MICHAEL PERRY City Clerk
LINDA M. JOHNSON-WASLER.... Asst. City Clerk

Pittsburgh, PA
Wednesday, May 19, 1993

PRESENT:

MR. COHEN	MR. O'CONNOR
MR. DARKINS	MR. ONORATO
MR. FERLO	MR. RICCIARDI
MICHELLE MADOFF	MR. WAGNER
	(Pres't)

The Meeting was opened by the recitation of the Pledge of Allegiance to the Flag of the United States of America, and a moment of silent prayer for peace throughout the world.

I pledge allegiance to the Flag of the United States of America and to the Republic for which it stands, one Nation, under God, indivisible, with liberty and justice for all.

PRESENTATIONS

Mr. Cohen and Mr. O'Connor present

No. 2646 WHEREAS, Hillel Academy of Pittsburgh is a modern progressive school for pre-school through high school aged children and is affiliated with the National Society for Hebrew Day Schools; and

WHEREAS, in the past few years Hillel Academy has opened its doors to New American children from the former Soviet Union and Soviet-bloc counties who have sought freedom and a better life in the United States; and

WHEREAS, on June 6, 1993, Hillel Academy will present the hit musical comedy "Catskills on Broadway" to raise money for scholarships for New American children and other children desiring an education at Hillel but unable to pay for all or part of it.

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh hereby commends and congratulates Hillel Academy for its educational service to the community; and

BE IT FURTHER RESOLVED, that the Pittsburgh City Council hereby declares May 19, 1993 to be Hillel Academy Day in the City of Pittsburgh.

Mr. Cohen moved to adopt the Resolution.

Mr. Ricciardi seconded the motion.

Which motion prevailed.

Mr. Darkins presents

No. 2647 WHEREAS, on Sunday, May 9, 1993, the 21st Annual Miss Black Teenage Beauty and Talent Pageant was held at Soldiers and Sailors Hall in Oakland; and,

WHEREAS, the contestants and the finalists were required to possess and to display a talent in addition to their individual beauty to participate in this glamorous event; and,

WHEREAS, the winner, Jamel McKelvia, crowned Queen, is a 14 year old young lady from East Liberty, and is a student at Frick International Academy who performed a jazz dance to achieve her goal; and,

WHEREAS, the first runner up, Nadiyah Dorsey, is a 13 year old from Stanton Heights, and an eighth grade student at Rogers CAPA School, who sang; and,

WHEREAS, the second runner up, Shani Alexander, is a 13 year old from Homewood, and is an eighth grade student at Reizenstein Middle School who performed a violin selection; and,

WHEREAS, the third runner up, Thembie Henderson, is a 16 year old from Ross Township and is a sophomore at North Hills High School who performed a basson selection; and,

WHEREAS, the person responsible for putting together the Miss Black Teenage Pageant is Ms. Jean Bryant, a woman who serves as a positive role model to young people, and is to be commended for her efforts in recognizing the attributes that these young people possess.

NOW, THEREFORE, BE IT

RESOLVED, that the Council of the City of Pittsburgh recognizes the accomplishments of the winners, participants and organizers of the Miss Black Teenage Beauty and Talent Pageant and extends best wishes for continued success in all their future endeavors.

Mr. Darkins moved to adopt the Resolution.

Mr. O'Connor seconded the motion.

Which motion prevailed.

Ms. Bryant:

Council President Wagner, Councilman Darkins and Council Members, thank you for this great honor in recognizing these young people who are doing positive things. Thank you very much.

Speaker:

Thank you, Councilman Darkins and City Council for this honor of the Miss Black Teenage Pageant, and on behalf of all the contestants I'd like to say that we are very thankful for this award, because each and every contestant works very hard. Thank you.

Speaker:

I'd like to say thank you to Councilman Darkins and all the Council Members, thank you.

Speaker:

I'd like to say thank you to Mrs. Jean Bryant and all the Council Members for this most appreciated honor.

Speaker:

First of all, I'd like to thank Mrs. Jean Bryant for directing the Self Improvement

Program, and all the other Council Members for this great honor.

Mrs. Alexander:

No, I'm not a part of the pageant. I am here however, on behalf of my daughter Shani Alexander who is in Washington, D.C. on a class trip, but to Councilman Darkins and the rest of the Council Members, thank you very much. I know she's really sorry that she couldn't be here to receive this award herself today, but thank you.

Mr. Darkins presents

No. 2648 WHEREAS, on Sunday, February 28, 1993, Mister African American was chosen at Soldiers and Sailors Memorial Hall; and,

WHEREAS, in the senior category, Andre West, a 16 year old from Swissvale and a junior at Woodland Hills High School, was crowned King; and,

WHEREAS, the first runner up in the senior category, David Tipton, is a 17 year from Monroeville and a junior at Gateway Senior High School; and

WHEREAS, the junior category, Maurice Ballow, an 11 year old from the North Side and a seventh grade student at Rogers School for the creative and Performing Arts, was crowned; King; and,

WHEREAS, the first runner up in the junior category, Akeem Gladden, is an 11 year old from West Mifflin and a sixth grade student at West Mifflin Middle School; and,

WHEREAS, the person responsible for putting together the Mr. African American Pageant is Ms. Jean Bryant, a woman who serves as a positive role model to young people, and is to

be commended for her efforts in recognizing the attributes that these young people possess.

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh recognizes the accomplishments of winner Andre West and the various runner ups, as well as the participants and organizers of the Mr. African American Pageant and extends best wishes for continued success in all their future endeavors.

Mr. Darkins moved to adopt the Resolution.

Mr. Onorato seconded the motion.

Which motion prevailed.

Mrs. Bryant:

I've gotten over my case of nerves and I can find the words to explain to you that these two programs are so important in that we spend eight weeks with these young people instilling in them the confidence, awareness and pride.

Also, explaining to them that their heritage predates slavery. Giving them a big dose of confidence and also, what we call the ten principles for successful living, which is the ten commandments, and we have every confidence that these young people that you have seen, as a matter of fact, at least 56 kids in all will continue on the right path. Thank you very much.

Mr. West:

I'd to say thank you first of all to Ms. Jean Bryant for helping boost my self esteem in the program, and just helping me have self confidence in myself, and making me have friends that can last for a life time.

I'd also like to thank Councilman Darkins and all the City Council Members, thank you

very much.

Speaker:

President Wagner, Councilman Darkins and Council Members, I would just like to thank you for this award. It's both an honor and a privilege, and I would to extend my thanks along to Mrs. Bryant who really helped me out. This program has helped me with my self esteem, and it's helped me make friends, like Andre has said, and I'd just to thank you and thank you Mrs. Bryant. Thank you.

Speaker:

Hello, I would like to thank Mrs. Bryant and all the Council Members, especially Councilman Darkins for honoring us on this day, thank you.

The Chair presents

WHEREAS, innovation has become synonymous with competition in today's rapidly changing society; and,

WHEREAS, the Pittsburgh business, industrial, scientific, and technological communities are on a constant quest to seek and develop innovative technologies in order to compete on a national and worldwide level; and,

WHEREAS, institutions such as the University of Pittsburgh, Carnegie Mellon University, Pittsburgh High Technology Council, Pennsylvania Small Business, and countless Pittsburgh area hospitals and corporations are committed to the advancement of technology through innovation; and,

WHEREAS, Pittsburgh is hosting INPEX IX, the largest invention and new project show in the United States, the THE BUSINESS SHOW, the area's leading business trade show,

from May 13-15, 1993, at the Expo Mart in Monroeville; and,

WHEREAS, INPEX IX and THE BUSINESS SHOW are certain to attract domestic and international attention to one of America's most prominent technology and business regions.

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh hereby proclaims the week of May 10, 1993, as THE BUSINESS SHOW/INPEX IX Innovation Week in the City of Pittsburgh.

Mr. Cohen moved to the Resolution.

Mr. Ferlo seconded the motion.

Which motion prevailed.

The Chair:

We are now going to take as the first order of business the Court decision that came down this morning at 11:00 a.m. from Judge Wettick in regard to Pittsburgh City Council.

Mr. Ferlo:

Mr. Wagner, I'd like to make a motion for reconsideration on the January 26th action of this Council regarding the motion which was seconded and approved on the vacation of the Council Presidency.

So, my motion is for reconsideration of the January 26th action.

Mr. Cohen seconded the motion.

The Chair:

Roll call vote on the motion.

The Chair:

Is there any discussion on the motion?

And on the question, "Shall the motion pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. Onorato
Mr. Ferlo	Mr. Wagner
Mr. O'Connor	(Pres't)

AYES 5 NOES 3

(VOTING NO)

Mr. Darkins
Michelle Madoff
Mr. Ricciardi

And a majority of the votes of Council being in the affirmative, the motion passed finally.

Mr. Ferlo:

Mr. Wagner and Members of Council, I'd like to make a motion to rescind the vacation action of the January 26th Council meeting.

Mr. Cohen seconded the motion.

Michelle Madoff:

I'd like to make a statement. I just learned this morning about the Judges decision, and perhaps rightfully he withheld his decision until after the election for the purpose of not influencing the vote. And, I would like respectfully to have the opportunity without interruption to finish my brief statement.

I'm very distressed about what has happened because of this whole fracas which is known as the coup.

This new Council is not a circus. When the majority of Council attempted to remove Jack Wagner as President, he repeatedly labeled us as "the circus", which the media picked up. The big lie, told often enough, accusations made repeatedly, even when there is no truth or validity, leaves the perception of truth.

Today's court ruling that Council was within it's rights to remove Jack Wagner has vindicated this Council. The Judge understood that the President of Council is elected by his peers, not by the public. In rendering his decision Judge Wettick, in essence, congratulated Council's restraint and the respectful manner in which we conducted business. He pointed out that to avoid a chaotic situation that could embarrass and paralyze City Council, Council was willing to live with the present structure until a court decided whether our position was valid.

The efforts of the majority of Council to remove Jack was partially in response to our genuine belief that Sophie would abdicate the throne and anoint Wagner as Mayor. But an equally important reason for joining in the attempted coup was my real concern that the President of Council, Jack Wagner, was not addressing or standing up to the Administration or representing the Council body who elected him. Ironically, Council almost always gave Jack either unanimous or majority vote, making him bullet-proof. Jack, however, never stood up to the Administration, never flexed any muscle, and went along to get along. His style was to "write another letter", not take any meaningful action.

As an example, when it was discovered the Administration awarded a half million dollar contract which increased the City's recycling

costs 800 percent without coming to Council for a vote or questioning, Jack Wagner did not put the Administration on notice that this kind of behavior would not be tolerated.

It is a matter of fact that Council's business, televised on cable gavel to gavel, addresses many issues. The action really takes place in Post Agendas and Mr. Wagner's determination to delay, oppose and kill my legislation to include televising Post Agendas, claiming they were not structured or orderly was, I believe, another attempt to protect the Administration and not make it easy for the public to have full access to vital information.

The one thing I can never forgive Jack for, and which caused our initial falling out, was the meeting at my home with Mark Pollock, Jim Ferlo, Jack Wagner and myself to assure that with Caliguiri's impending death Ben Woods would not be President of Council and subsequently Mayor. When Jack couldn't get the votes to become President, he immediately aligned himself with Ben Woods, in exchange for the Finance Chairmanship.

This Council elected by district is not a circus. I feel proud to have served the past 15 years and will finish my term. Our actions to remove Jack have been vindicated. It's time the media gives this Council the respect it is due.

Mr. Ferlo:

Mr. Wagner and Members of Council, I believe very strongly that the action that I pushed for on January 26th was the appropriate action. I believe strongly that a new direction was needed on this Council.

Certainly, part of my motivation was that new direction is needed in this City. I believe that was unanimously expressed regardless of how people voted. I think they voted for change.

Yesterday, certainly they voted for change as it relates to the operation in the Mayor's office.

I think equally important today, I think we ought to be concerned about moving the City ahead between now and the end of the year, and the new term for the next Mayor, and the next City Council.

I think it's appropriate action at this time to rescind the action and let's move ahead. We're going to continue to have our differences. I personally applaud the opinion of Judge Wettick. I think it was an excellent opinion, and I hope the public and Members of Council, and others including the media read the opinion. It is not only a scholarly opinion, I think it clearly states that we were within our legal prerogatives based on the State Constitution and other statutory laws that the Judge talks about.

And, I want to thank him for what I thought was a very well thought out scholarly opinion on something that was very controversial regardless of how people felt about the particular issue.

I personally though do want to extend a personal thank you to David Reese and Craig Krishman co-counselors from Thorpe-Reed who also acted in a scholarly manner in terms of their legal defense and their preparation of documents for Judge Wettick's consideration.

The action was history making. Rather than talk at length about the politics and the policies that have created differences on this Council. I think people clearly spoke yesterday on a number of races including the Mayor's office, and I just think we need to move ahead for the rest of the year.

Mr. Cohen:

Thank you Mr. President. I too am glad

that Judge Wettick rendered his decision, which at least resolves the legal question as to whether Council can remove its President without cause.

I think that it's in the best interest of the stability of City Council and more importantly best interest in the City of Pittsburgh is we retain the status quo until the next scheduled vote for Council President at our first meeting in January.

I think that Council would be taking the high road in doing this. This will give us ample time certainly to have discussions on the future of City Council, and who will lead this Council, and until that time I am totally convinced that keeping Council stable until the next Administration comes in would be in the best interest of the City of Pittsburgh, and that we should be doing the City's business until that time, and hopefully after that time.

I do think that from this decision legislation should be introduced before City Council, but I think we will have time to discuss that in future Council meetings so that we can act in the best interests of the City of Pittsburgh. Thank you.

Mr. Darkins:

I echo the sentiments of Councilwoman Michelle Madoff, and also what Mr. Ferlo spoke to in regards to Judge Wettick. A very credible man that sits on the bench. My whole ideology of this entire episode, not a coup, what the entire episode was that I wanted to make sure and he has done that, that we would get a legal opinion. With that in mind I'm satisfied of his opinion.

I trust and hope that as we continue throughout this year as Council people, and I have to join with Michelle again, I don't consider myself an animal so I'm not of a circus, and I hope that that message gets across that I'm a human being.

I'm so glad for Cristopher Smith winning yesterday, because it adds to City Council. I'm not the only African-American here. We'll have another African-American, and I hope that my colleagues will share our understanding. Thank you.

Mr. Onorato:

One quick statement, Mr. President. I just think this is a good example, regardless of where everyone stands on the issue of what happened that day, and regardless of the reasons they voted the way they did. It's important to point out that everything we do here, and I know Mr. President you point this out is done in front of the cameras, and we don't have caucuses or closed door meetings that we do discuss every single issue regardless of how small, how important, how large in front of the public, which I think is very healthy, and I think we have to continue to do.

It's very easy to say that you have a circus atmosphere or that you have a zoo down there when there's a heated discussion, and there's going to be many discussions and many issues that come in front of this body where nine members are not going to agree on, and I think it's very healthy to have a debate, and then the question's called and five vote make a decision at that point.

But, I don't think that a lively discussion should be portrayed as a circus or something out of control. I think it is very healthy to let the public see what's going on. I don't think we should have anything to hide, and I reminded people over and over again that this Council so many times is the final forum where a lot of people have to go in front of when they have a problem.

And, the most recent one was the film industry. When everyone's bickering how to

save it, it was this Council that stepped forward to save it in the interim.

But, stating all that, I would just like to say that the discussions that we do have here are very similar to discussions that you could have around your family table, you could have at a business meeting, you could have - I know Councilman Cohen mentioned a Board meeting to me once in the hall way and I thought that was an excellent example.

If they were all televised could you imagine what people would say about family discussions, Board meetings, private meetings. Of course it would look crazy because a lot of things get discussed there and a lot of ideas go back and forth, but they come out united publicly so you don't see the discussion.

I think that the discussion is very healthy. I think this is another example of showing how democracy works, and I think it was very unfortunate the way this body get portrayed sometimes.

But, I think it's very important that we continue to move ahead with Councilman Wagner as President finishing out the year, and getting through another budget season, and addressing all the issues that we have so discuss over the next seven months.

Michelle Madoff:

I would like to just say that it would serve no purpose at this point, and I have just conferred with the Pro tem President and with my colleague, Mr. Ricciardi, it would serve no purpose at this point since neither you or I will be here next year, Mr. Wagner, to change horses at this point.

As I always tell my daughter, you kill them with kindness. I think it's important that we

show you by example how people should behave. And I will support your remaining for the rest of the year.

The Chair:

Let me just say, I didn't realize this was going to be a post mortem on the Mayor's Race, or any other thing that happened this past week. But, as you can see, I'm still standing and I'm standing tall, whether I'm the Mayor of the City of Pittsburgh or not, or the City Council President or not.

My personal character and my dignity is what is most important to me. I have always said as a Councilmember that I will represent the dignity and the professionalism of the people of Pittsburgh. I did that when I came in office and I'll do that when I leave office.

Councilwoman Madoff, some of what you said today was not accurate. I think there are volumes of records within the City Clerk's Office that can attest to that. I'm not here today to debate on anything, any particular issue. But the record will clearly reflect that I have challenged this Administration as much as anyone on a number of issues such as riverfront development, police hiring. I can go on and on and on.

I don't think that's the issue in front of us, though, and I'm not going to elaborate on that. I have always said that the people of Pittsburgh are truly my boss, 370,000 strong. I mean that from my heart. I will represent them and I believe the best way to represent them is by being professional and in a dignified fashion.

I will not get into any arguments here today. If anyone wants to debate me on any issue, I'm more than happy to do that. Any issue in relation to City government or this Council. I certainly have done it many times over the years. I have always respected everyone's opinion that I

have worked with, everyone serving on this Council and previous Councils, and some of the people you mentioned.

I will treat people individually with respect and judge them 100 percent until they show me differently.

I have always said the most important issue in front of Council is our image because no matter what issue we deal with, if the image of government officials is not viewed highly by the public, then we cannot be effective.

I am committed to continue to do that and I would hope that that would be a top priority of this body.

Michelle Madoff:

May I respectfully request, Mr. President, that you tell the media and everybody here that this Council has treated you with respect since the day of that attempted coup. We've been polite, we've been courteous, we've worked together, and we are not a circus. And you said you will not allow us to continue being a circus. I think you need to rescind that and apologize to us.

The Chair:

I do not have to rescind anything I've ever done here and have not, will not today, and will not in the future.

As I said, Councilwoman Madoff, I do not work for you; I work for the people of Pittsburgh.

Mr. Cohen:

Call the question.

The Chair:

Is there any further discussion on the motion?

And on the question, "Shall the motion pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. O'Connor
Mr. Darkins	Mr. Onorato
Mr. Ferlo	Mr. Ricciardi
Michelle Madoff	Mr. Wagner
	(Pres't)

AYES 8

NOES none

And a majority of the votes of Council being in the affirmative, the motion passed finally.

Mr. Cohen presented

No. 2589 Resolution providing for the authorization to make all legitimate expenditures for transportation, supervisor/participant wages and fringe benefits and administrative expenditures necessary to implement the Safe Summer '93 and 1993 Pittsburgh Partnership/Summer Youth Employment Program; providing for the periodic transfer of funds to reimburse for expenditures for participant wages and fringe benefits and administrative costs incurred, and providing for the periodic payment of costs incurred in the Safe Summer '93 and 1993 Pittsburgh Partnership/Summer Youth Employment Program thereof. Total costs shall not exceed \$776,000.00.

Also,

No. 2590 Resolution providing for an Agreement or Agreements with various agencies for the implementation of the 1993 Pittsburgh Partnership/Summer Youth Employment Program; and providing for periodic transfer of funds to reimburse agencies for legitimate expenditures incurred, and for the payment of costs thereof. The total amount payable under this Resolution will not exceed \$252,968.91, chargeable to and payable from Code Account 4-85-01-0022-93-512-93-85.

Also,

No. 2591 Resolution providing for an Agreement with Joseph McCue and Joanne McCue, his wife, their heirs, executors, administrators and assigns, which grants a 3' easement for maintenance, ingress, egress and regress on and through property located at 97 Baldwick Road, 28th Ward, 39-J-302, owned by the City of Pittsburgh upon certain terms and conditions. (Council District #2).

Which were severally read and referred to the Committee on Finance.

Mr. Cohen moved to suspend Rule 8 by providing for consideration of all the bills only until or after the 8th calendar day following the meeting in which the bills were introduced so the bills will be on the agenda this Wednesday.

Mr. Darkins seconded the motion.

Which motion prevailed.

Also,

No. 2592 Resolution providing for the issuance of a warrant in the amount of \$28,000.00 to Charles M. Miller and Patricia Miller, c/o Randy K. Hareza, Esquire, their attorney, Burns, White & Hickton, 2400 Fifth

Avenue Place, 120 Fifth Avenue, Pittsburgh, PA 15222-3001, in full and final settlement of an alleged accident on Second Avenue on or about April 25, 1989, in the City of Pittsburgh, payable from Code Account No. 46, Judgments.

Also,

No. 2593 Resolution for the issuance of a \$1,055.87 warrant in favor of Edward T. Lederer in settlement of claim for automobile damage occurring on March 15, 1993 when a City Snow Plow struck a parked car on Norwich Avenue, payable from Code Account No. 46, Judgments.

Also,

No. 2594 Resolution carrying over balances or portions thereof remaining in certain code accounts for the year 1992 to the same or to other code accounts for the year 1993.

—(SPONSORED BY MR. COHEN)

Also,

No. 2595 Resolution authorizing the Director of Finance to sell shares of common stock, notes and/or bonds that the City has received to satisfy debts from various public companies and to deposit the proceeds into the General Fund.

Also,

No. 2596 Resolution Repealing Resolution No. 133, Item H, effective February 23, 1993, which authorized the sale of property in the 10th Ward, being a 2 story, brick dwelling, located at 5338 Brown Way, designated as Block 50M, Lot 53B, to Garfield Jubilee Association, Inc., for the sum of \$4,000.00. The reason for the above repealing Resolution is that it was discovered through the title search that the City does not have marketable title to the property as originally submitted.

(Council District #7)

Which were severally read and referred to the Committee on Finance.

Mr. Ferlo presented

No. 2597 Resolution amending Res. No. 1017, eff. Oct. 1, 1982, entitled: "Resolution providing for the letting of a Contract or Contracts or the use of existing Contracts for the construction of a 10' curb along the north side of Joncaire Street in Oakland, at a cost not to exceed \$25,000.00," so as to reduce the amount appropriated to \$8,741.79, chargeable to and payable from the 1979 CDBG Program, Dept. of City Planning (CP-79-08) "Oakland Study Implementation Administration."

Also,

No. 2598 Resolution further amending Res. No. 812, appr. Aug. 19, 1980, eff. Aug. 25, 1980, as amended by Res. No. 326, appr. April 10, 1981, eff. April 16, 1981, as amended by Res. No. 491, eff. May 11, 1981, entitled, "Providing for an Agreement or Agreements with a Consultant or Consultants for Consultant Services in connection with the surveying of Boundary Street; and providing for the payment of the cost thereof," by reducing the funding sources. Consultant Services shall not exceed \$17,500.00.

Also,

No. 2599 Resolution amending Res. No. 699, eff. Aug. 14, 1984, entitled: "Resolution providing for an Agreement or Agreements with the Neighborhood Fund, Inc., for administration of a program to provide financial aid and technical assistance to small community-based organizations," so as to reduce the amount appropriated, at a cost not to exceed \$87,862.04.

Also,

No. 2600 Resolution amending Res. No. 565, eff. July 5, 1988, entitled: "Resolution providing for an Agreement or Agreements with the Jewish Family and Children's Service Center to provide administrative support to the Agency (Caregiver's Program) in an amount not to exceed \$19,566.00", so as to reduce the amount appropriated to \$19,516.00.

Also,

No. 2601 Resolution amending Res. No. 785, eff. Sept. 22, 1986, entitled: "Resolution providing for an Agreement or Agreements with Homewood-Brushton Citizens Renewal Council and the URA for the rehabilitation of a structure for use as a multi-purpose recreation center," so as to reduce the amount appropriated from \$55,000.00 to \$54,087.68.

Also,

No. 2602 Resolution amending Res. No. 375, eff. May 5, 1986, entitled: "Resolution providing for an Agreement or Agreements with the University of Pittsburgh - Office of Urban & Community Affairs for the 'Development of an Informational Profile of the Black Community in Pittsburgh'", so as to reduce the amount appropriated to \$44,000.00.

Also,

No. 2603 Resolution amending Res. No. 190, eff. March 14, 1986, entitled: "Resolution providing for an Agreement or Agreements with a Consultant or Consultants to conduct an Aerial Tramway Feasibility Study at a cost not to exceed \$50,000.00," so as to reduce the amount appropriated to \$45,671.81.

Also,

No. 2604 Resolution amending Res. No. 290, eff. April 7, 1989, entitled: "Resolution providing for an Agreement or Agreements with the Jewish Family and Children's Service Center (Small Chore and Shipping Program) to provide administrative support to the Agency in an amount not to exceed \$10,750.00," so as to reduce the amount appropriated to \$10,656.00.

Also,

No. 2605 Resolution amending Res. No. 291, eff. April 7, 1989, entitled: "Resolution providing for an Agreement or Agreements with the Jewish Family and Children's Service Center to provide administrative support to the Agency (Caregiver's Registry Program) in an amount not to exceed \$5,000.00," so as to reduce the amount appropriated to \$4,965.00.

Also,

No. 2606 Resolution amending Res. No. 293, eff. April 7, 1989, entitled: "Resolution providing for an Agreement or Agreements with the United Jewish Federation of Pittsburgh for administrative assistance in operating a Career Development Center for the unemployed, in an amount not to exceed \$40,000.00," so as to reduce the amount appropriated to \$37,694.00."

Also,

No. 2607 Resolution amending Res. No. 483, eff. May 30, 1991, entitled: "Resolution providing for an Agreement or Agreements with Community College of Allegheny County for administrative assistance in operating their 'Employment Training Program for Special Need Adults' in an amount not to exceed \$8,500.00," so as to reduce the amount appropriated to \$3,917.92.

Also,

No. 2608 Resolution amending Res. No. 133, eff. March 8, 1991, entitled: "Providing for an Agreement or Agreements with the Community Housing Resource Board to conduct a 'Study of Impediments to Fair Housing', at a cost not to exceed \$20,000.00," so as to reduce the amount appropriated to \$16,071.60.

Also,

No. 2609 Resolution amending Res. No. 704, eff. July 16, 1980, entitled: "Resolution providing for an Agreement or Agreements with an agency or agencies to implement and coordinate the 'Pittsburgh Literacy Initiative' a pilot project aimed at promoting healthy parent/child relationships in low/moderate income families, at a cost not to exceed \$7,640.00", so as to reduce the amount appropriated to \$7,287.64.

Also,

No. 2610 Resolution amending Res. No. 719, eff. July 16, 1990, entitled: "Resolution providing for an Agreement or Agreements with Community College of Allegheny County for administrative assistance in operating their 'Employment Training Program for Special Need Adults' in an amount not to exceed \$10,000.00," so as to reduce the amount appropriated to \$8,845.09.

Also,

No. 2611 Resolution amending Res. No. 712, eff. July 16, 1990, entitled: "Resolution providing for an Agreement or Agreements with Mt. Washington Children's Center for site improvement at their outdoor playground at a cost not to exceed \$5,000.00," so as to reduce the amount appropriated to \$4,118.18.

Also,

No. 2612 Resolution amending Res. No. 474, eff. May 7, 1992, entitled: "Resolution providing for an Agreement or Agreements with Community College of Allegheny County for administrative assistance in operating their 'Employment Training Program for Special Need Adults' in an amount not to exceed \$6,900.00," so as to reduce the amount appropriated to \$5,523.17.

Also,

No. 2613 Resolution amending Res. No. 635, eff. July 10, 1985, as amended by Res. No. 285 of 1987 and by Res. No. 50 of 1989, Res. Nos. 135 and 1181 of 1990, Res. No. 1155 of 1991 and by Res. No. 627 of 1992 entitled: "Resolution providing for the filing of a Community Development statement by the City of Pittsburgh in connection with the 1985 CDBG Program," so as to reprogram funds from City Council to the Department of Personnel and Civil Service.

Also,

No. 2614 Resolution amending Res. No. 143, eff. Feb. 1990 as amended by Res. No. 677 of 1990 and by Res. No. 719 of 1992 entitled: "Resolution providing for the filing of a Community Development statement by the City of Pittsburgh with the U.S. Department of Housing and Urban Development for a grant in connection with the 1990 CDBG Program," so as to reduce line items in City Council and create a line item in the Department of Personnel and Civil Service.

Also,

No. 2615 Resolution amending Res. Nos. 507, 706, 956, 1148 and Res. No. 1221 of 1991, Res. Nos. 211, 524, 720 and 929 of 1992 entitled: "Providing for the filing of a Community Development statement by the City of Pittsburgh with the U.S. Dept. of Housing and

Urban Development for a grant in connection with the 1991 CDBG Program," so as to reduce line items in the Dept. of Engineering and Construction and City Council and create a line item in the Dept. of Personnel & Civil Service.

Also,

No. 2616 Resolution amending Section 10 of Res. No. 79, eff. March 7, 1989, as amended by Res. No. 776 of 1989; by Res. No. 874 of 1990; by Res. No. 1159 of 1991; and by Res. No. 657 of 1992 entitled: "Providing for the filing of a Community Development statement by the City of Pittsburgh with the U.S. Dept. of Housing and Urban Development for a grant in connection with the 1989 CDBG Program," so as to decrease line items in City Council, Dept. of Engineering & Construction, and the URA, and create a line item in the Dept. of Personnel and Civil Service.

Also,

No. 2617 Resolution amending Res. No. 448, eff. June 16, 1988 as amended by Res. No. 627 eff. Aug. 2, 1989, Res. Nos. 132 and 1184 of 1990 and Res. No. 201 of 1991 entitled: "Resolution providing for the filing of a Community Development statement by the City of Pittsburgh with the U.S. Dept. of Housing and Urban Development for a grant in connection with the 1988 CDBG Program," so as to reprogram funds from City Council, the Dept. of Engineering & Construction, the Dept. of City Planning to the Dept. of Personnel & Civil Service.

Also,

No. 2618 Resolution amending Section 10 of Res. No. 1181, eff. Dec. 26, 1986, as amended by Resolution No. 198 eff. March 13, 1987, Res. No. 584, eff. July 27, 1987, Res. Nos. 758 and 1063 of 1987, Res. No. 517 of 1988, Res.

No. 328 of 1989, Res. Nos. 134 and 1183 of 1990, and by Res. Nos. 202 and 1157 of 1991 entitled: "Providing for the filing of a Community Development Statement by the City of Pittsburgh with the Dept. of Housing and Urban Development for a grant in connection with the 1987 CDBG Program," so as to reprogram funds from the Dept. of Engineering & Construction to the Dept. of Personnel & Civil Service.

Also,

No. 2619 Resolution amending Section 10 of Res. No. 234 of 1986 as amended by Res. No. 1180 of 1986, by Res. No. 43 of 1987, by Res. No. 1009 of 1987, by Res. No. 715 of 1989, by Res. Nos. 133, 875, by Res. No. 1182 of 1990 and by Res. No. 1156 of 1991 entitled: "Providing for the filing of a Community Development statement by the City of Pittsburgh with the Dept. of Housing and Urban Development for a grant in connection with the 1986 CDBG Program," so as to reprogram funds in the Dept. of Engineering & Construction, the Dept. of Parks and Recreation, and City Council to the Dept. of Personnel & Civil Service.

Also,

No. 2620 Resolution amending Section 10 of Res. No. 301, eff. April 24, 1984, as amended by Res. No. 728, eff. August 21, 1984, by Res. No. 284, eff. March 30, 1987, by Res. No. 548 of 1989, by Res. Nos. 136 and 1180 of 1990, and by Res. Nos. 876 and 1149 of 1991 entitled: "Providing for the filing of a Community Development statement by the City of Pittsburgh with the U.S. Dept. of Housing and Urban Redevelopment for a grant in connection with the 1984 CDBG Program," so as to reprogram funds from City Council to the Dept. of Personnel and Civil Service.

Also,

No. 2621 Resolution amending Res. No. 330, eff. April 3, 1992, as amended by Res. No. 718, eff. June 23, 1992, by Res. No. 770 eff. July 10, 1992, by Res. No. 928, eff. Sept. 18, 1992 and by Res. No. 163 of 1993 entitled: "Providing for the filing of a Community Development statement by the City of Pittsburgh with the U.S. Department of Housing & Urban Development for a grant in connection with the 1992 CDBG Program," so as to reduce a line item in City Council and add a line item in the Dept. of Personnel & Civil Service.

Also,

No. 2622 Resolution amending Section 11 of Res. No. 1228, eff. Dec. 31, 1979, as previously amended by Res. Nos. 504, 635 and 1065 of 1980; and by Res. Nos. 316, 797, 1201 and 1419 of 1981; and by Res. No. 416 of 1982; by Res. Nos. 889 and 1134 of 1983; by Res. No. 150 of 1984; by Res. Nos. 101 and 201 of 1986; by Res. Nos. 711 and 825 of 1988 and by Res. No. 139 of 1990 entitled: "Providing for the filing of an application by the City of Pittsburgh with the U.S. Dept. of Housing and Urban Development for a grant in connection with the 1990 CDBG Program," by decreasing a line item in the Dept. of City Planning and adding these reprogrammed funds to the Dept. of Personnel and Civil Service.

Also,

No. 2623 Resolution amending Section 11 of Res. No. 1549 of 1978, previously amended by Res. Nos. 251, 317 and 649 of 1979, by Res. Nos. 286 and 1192 of 1980, by Res. No. 1203 of 1981, by Res. Nos. 393 and 1013 of 1983, by Res. No. 100 of 1986, by Res. No. 677 of 1987, by Res. Nos. 140 and 1152 of 1990 and by Res. No. 658 of 1992 entitled: "Providing for the filing of an application with the U.S. Dept. of Housing and Urban Development for a grant in

connection with the 1979 CDBG Program," so as to reduce a line item in the Dept. of City Planning and create a line item in the Dept. of Personnel & Civil Service.

Also,

No. 2624 Resolution amending Res. No. 421, eff. May 18, 1989 entitled: "Providing for the execution of a Cooperation Agreement or Agreements with the URA of pgh. for the performance of certain work in connection with the 1989-1990 CDBG Program, and providing for the payment of the costs thereof," by decreasing a line item and the total amount to be transferred to the Authority by \$190,000.00. The funds will be used by the City for the 1993 Summer Youth Employment Program.

Also,

No. 2625 An Ordinance amending the Pittsburgh Code, Title Nine, Zoning, Article III, Chapter 921, Section 921.02, Zoning District Map No. 4, by changing from "S" Special District to "M2" Limited Industrial District and "M3" Light Industrial District certain property located in the Bell Farm area being property owned by the Crown Wrecking Company, Inc., Corliss Roadway Corporation and the City of Pittsburgh having frontage along Bells Run Road due north of the Chartiers Creek, 28th Ward.

Which were severally read and referred to the Committee on Planning, Housing and Development.

Mr. Ferlo moved to suspend Rule 8 by providing for consideration of all the bills only until or after the 8th calendar day following the meeting in which the bills were introduced so the bills will be on the agenda this Wednesday.

Mr. O'Connor seconded the motion.

Which motion prevailed.

Michelle Madoff presented

No. 2626 An Ordinance supplementing the Pittsburgh Code, Title Five - Traffic, Article III - Towing, Chapter 525, Towing Charges, Section 525.02, Schedule of Towing Fees, by setting towing fees for stolen passenger vehicles and flatbed towing when justified.

---(SPONSORED BY MICHELLE MADOFF)

Which was read and referred to the Committee on Public Safety.

Michelle Madoff moved to suspend Rule 8 by providing for consideration of all the bill only until or after the 8th calendar day following the meeting in which the bill was introduced so the bill will be on the agenda this Wednesday.

Mr. Cohen seconded the motion.

Which motion prevailed.

Also,

No. 2627 An Ordinance supplementing the Pittsburgh Code, Title Five - Traffic, Article III- Towing, Chapter 525, Towing Charges, by adding Section 525.05, Prohibition of City Towing Recommendation. --- (SPONSORED BY MICHELLE MADOFF)

Which was read and referred to the Committee on Public Safety.

Mr. O'Connor presented

No. 2628 Resolution amending Res. No. 561, eff. July 17, 1989, entitled: "Resolution providing for an Agreement or Agreements, or use of existing Agreements, with a Consultant or Consultants for Design Services in connection with the Magee Recreation Center addition; and

providing for the payment of the cost thereof," so as to reduce the amount appropriated to \$42,625.00.

Which was read and referred to the Committee on Parks and Recreation.

Mr. O'Connor moved to suspend Rule 8 by providing for consideration of all the bill only until or after the 8th calendar day following the meeting in which the bill was introduced so the bill will be on the agenda this Wednesday.

Mr. Ricciardi seconded the motion.

Which motion prevailed.

Also,

No. 2629 Resolution authorizing the issuance of a warrant in favor of the ADVO Systems, Inc. in the amount of \$3,106.11, in payment for advertising services provided to the Department of Parks and Recreation, chargeable to and payable from Code Account 1838, Misc. Services, Dept. of Parks and Recreation.

Which was read and referred to the Committee on Finance.

Mr. Onorato presented

No. 2630 Resolution providing for an Agreement or Agreements with the Pennsylvania Chiefs of Police Association to purchase two live scan fingerprint units at a cost not to exceed \$8,750.00 per unit, for a total cost not to exceed \$17,500.00, chargeable to and payable from the City-County Integrated Identification System Trust Fund, Code Account CCHSP.

Also,

No. 2631 Resolution providing for an

Agreement or Agreements with a certified bank to install and operate a MAC Debit Card Access System at the Auto Tow Pound.

Which were read and referred to the Committee on Public Safety.

Also,

No. 2632 Resolution providing for a Contract or Contracts or the use of existing Contract or Contracts to purchase a Computer Local Area Network for the Emergency Operations Center at a total cost not to exceed \$35,000.00, chargeable to and payable from PEMATF, Dept. of Public Safety, Emergency Operations Center.

Which was read and referred to the Committee on General Services.

Mr. Ricciardi presented

No. 2633 Resolution further amending Res. No. 365, eff. April 28, 1989, as amended by Res. No. 599, eff. July 27, 1989, entitled "Providing for a Contract or Contracts, or use of existing Contracts, and/or Agreement or Agreements, or use of existing Agreements, for the Design and Rehabilitation of Various Swimming Pools, including but not limited to Moore Pool; and providing for the payment of the cost thereof," by decreasing the total project allocation by \$130,869.68 from \$660,000.00 to \$529,130.32.

Also,

No. 2634 Resolution further amending Res. No. 823, eff. Oct. 28, 1988, as amended by Res. No. 988, eff. Dec. 27, 1988, entitled: "Providing for a Contract or Contracts, or use of existing Contracts, and/or an Agreement or Agreements, or use of existing Agreements, with Swimming Pool Renovations, including but not

limited to Banksville, St. Clair, Fowler Northgate and Riverview; and providing for the payment of the cost thereof," by decreasing the total project allocation by \$5,879.22 from \$440,000.00 to \$434,120.78.

Which were read and referred to the Committee on Engineering and Construction.

Mr. Ricciardi moved to suspend Rule 8 by providing for consideration of all the bills only until or after the 8th calendar day following the meeting in which the bills were introduced so the bills will be on the agenda this Wednesday.

Mr. Ferlo seconded the motion.

Which motion prevailed.

Also,

No. 2635 Resolution transferring the amount of \$500.00 from Code Account 1001-1 (100115), Misc. Services, Supplies & Equipment, City Council to Code Account 1103, (110304), Misc. Services, Department of City Planning. --(SPONSORED BY MR. RICCIARDI)

Which was read and referred to the Committee on Finance.

Also,

No. 2636 Resolution amending Resolution No. 287, approved March 30, 1992, entitled, "Providing for an Agreement or Agreements with various community organizations for operational/administrative expenses, maintenance, purchase of equipment; and/or minor rehabilitation of neighborhood facilities for the benefit of residents of the City of Pittsburgh, at a cost not to exceed \$119,580.00, chargeable to and payable from Code Account 1103 (110304) Misc. Services, Dept. of City

Planning," by deleting Caliguiri Hall Food Bank, and adding Brashear Association (Henry Kaufmann Center) in the amount of \$1,000.00. --(SPONSORED BY MR. RICCIARDI)

Also,

No. 2637 Resolution amending Resolution No. 425, approved May 7, 1993, entitled "Resolution providing for an Agreement or Agreements with Caliguiri Hall Food Bank for operational/administrative expenses; maintenance; purchase of equipment; and/or minor rehabilitation of neighborhood facilities for the benefit of the residents of the City of Pittsburgh, at a cost not to exceed \$1,000.00, chargeable to and payable from Code Account 1103 (110304) Misc. Services, Dept. of City Planning," by deleting Caliguiri Hall Food Bank and adding Prince of Peace Food Bank. --(SPONSORED BY MR. RICCIARDI)

Also,

No. 2638 Resolution providing for an Agreement or Agreements with the Beltzhoover Neighborhood Council Teenage Awareness Program (TAP), for the furnishing of professional services for the benefit of the residents of the City of Pittsburgh, at a cost not to exceed \$500.00, chargeable to and payable from Code Account 1103 (110304), Misc. Services, Department of City Planning. --- (SPONSORED BY MR. RICCIARDI)

Which were severally read and referred to the Committee on Planning, Housing and Development.

Also,

No. 2639 Resolution amending Resolution No. 592, approved May 7, 1993, entitled, "Resolution providing for an Agreement or Agreements with the Boys and Girls Club of

Western of Pennsylvania (for Pittsburgh Summer Basketball League) for the furnishing of professional services for the benefit of the residents of the City of Pittsburgh; and providing for the payment of the cost thereof not to exceed \$1,500.00, chargeable to and payable from Code Account 1838 (183806), Misc. Services, Recreation, in the Department of Parks and Recreation," by deleting "Boys and Girls Club of Western Pennsylvania." —(SPONSORED BY MR. RICCIARDI)

Which was read and referred to the Committee on Parks and Recreation.

The Chair presented

No. 2640 Communication from Ben Hayllar, Director, Department of Finance, submitting a report of securities pledged as collateral by City Depositories as of March 31, 1993.

Which was read, received and filed.

REPORTS OF COMMITTEES

Mr. Cohen presented

Bill No. 2641

Report of the Committee on Finance for May 12, 1992 transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 2519

A Resolution entitled, "Resolution repealing Res. No. 854, Item K, eff. 7-13-92, which authorized the sale of a vacant lot in the 12th Ward, 125-G-268, 814 LaShall Street, to Mark Ridley, for the

sum of \$750.00. The purchaser did comply with the Agreement Sale. He did not provide a title report. Hand money of the purchaser in the amount of \$100.00 is, therefore, forfeited."

Which was read.

Also,

Bill No. 2520

A Resolution entitled, "Resolution repealing Res. No. 53, Item E, eff. 2-10-92, which authorized the sale of a vacant lot in the 10th Ward, 121-A-19, 6502 Butler St., to Joseph B. Bates and Kathleen Bates, his wife, for the sum of \$600.00. A defect in the chain of title was discovered. Hand money of the purchasers in the amount of \$100.00 will be refunded by the Real Estate Division-Department of Finance."

Which was read.

Also,

Bill No. 25221

A Resolution entitled, "Resolution providing for the filing of a petition or petitions for the sale of certain property properties, acquired at tax sales in accordance with Act No. 171 of 1984, entitled, "Second Class City Treasurer Sale and Collection Act", effective December 11, 1984."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. Onorato
Mr. Ferlo	Mr. Ricciardi
Michelle Madoff	Mr. Wagner
Mr. O'Connor	(Pres't)

AYES 7 NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Also,

Bill No. 2522

A Resolution entitled, "Resolution providing for a warrant of Helen Hull in the amount of \$600.00 in payment for professional services rendered to Councilman Darkins for the month of April, 1993, chargeable to and payable from Code Account 1001-2, City Council, District 9."
-(SPONSORED BY MR. DARKINS)

Which was read.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. Onorato
Mr. Ferlo	Mr. Ricciardi
Michelle Madoff	Mr. Wagner
Mr. O'Connor	(Pres't)

AYES 7 NOES none

And there being two-thirds of the votes of Council being in the affirmative, the bill passed finally.

Also,

Bill No. 2538

A Resolution entitled, "Resolution transferring the amount of \$3,419.00 from Code Account 1801, Index Code 180109, Miscellaneous Services, to Code Account 1802, Supplies, Index Code 180208, in the Department of Parks and Recreation."

Which was read.

Also,

Bill No. 2539

A Resolution entitled, "Resolution transferring the amount \$200,000.00 from Code Account 1708-9, Index Code 170894, Workers Compensation, in the Department of Public Works to Code Account 1808-9, Index Code 180893, Workers Compensation in the Department of Parks and Recreation."

Which was read.

Also,

Bill No. 2540

A Resolution entitled, "Resolution transferring the aggregate amount of \$950,000.00 from various code accounts as following: \$825,000.00 to Code Account SSFSP (270256) Special Summer Food Service Program Trust Fund, and \$125,000.00 to Code Account SPP (254359), Special Parks Program, in the Department of Parks and Recreation."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. Onorato
Mr. Ferlo	Mr. Ricciardi
Michelle Madoff	Mr. Wagner
Mr. O'Connor	(Pres't)

AYES 7 NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Also,

Bill No. 2547

A Resolution entitled, "Resolution providing for a warrant in favor of Public Strategies, Inc. in the amount of \$1,600 in payment for professional consulting services rendered to Councilman Gene Ricciardi for the month of May, 1993, chargeable to and payable from Code Acct. 1001-2, City Council, District 3." --(SPONSORED BY MR. RICCAIRDI)

Which was read.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. O'Connor
Mr. Ferlo	Mr. Onorato
Michelle Madoff	Mr. Ricciardi

AYES 6 NOES 1

(MR. WAGNER VOTING NO)

And there being two-thirds of the votes of Council being in the affirmative, the bill passed finally.

Also,

Bill No. 2570

A Resolution entitled, "Resolution transferring the amount \$68,000.00 from Code Account 1803 (180307), Utilities to Code Account PCTF (253153), Phipps Conservatory Trust Fund in the Department of Parks and Recreation."

Which was read.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. Onorato
Mr. Ferlo	Mr. Ricciardi
Michelle Madoff	Mr. Wagner

Mr. O'Connor (Pres't)

AYES 7 NOES none

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Mr. Darkins presented

Bill No. 2642

Report of the Committee on Public Works for May 12, 1993 transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 2523

A Resolution entitled, "Resolution providing for a Contract or Contracts, or the use of existng Contracts, for concrete slab replacement at various locations throughout the City of Pittsburgh at a cost not to exceed Five Hundred Thousand (\$500,000.00) Dollars, chargeable to and payable from Code Account 3-01-01-0010-93, Index Code 875104, Concrete Program."

Which was read.

Also,

Bill No. 2524

A Resolution entitled, "Resolution providing for a Contract or Contracts, or the use of existing Contracts for public sidewalk construction at various locations within the City of Pittsburgh, at a cost not to exceed Fifty Thousand (\$50,000.00) Dollars, chargeable to and payable from Code Account 3-01-30-0045-93, Public Property Sidewalk Program, Index Code 875310."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. Onorato
Mr. Ferlo	Mr. Ricciardi
Michelle Madoff	Mr. Wagner
Mr. O'Connor	(Pres't)

AYES 7 NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Mr. Ferlo presented

Bill No. 2643

Report of the Committee on Planning, Housing and Development for May 12, 1993 transmitting one ordinance and sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 2144

An Ordinance entitled, "An Ordinance amending the Pittsburgh Code, Title Nine, Zoning District Map No. 11, by changing from "R4" Multiple-Family Residence District to "A1" Commercial-Residential Associated District all that certain

property located on the southerly side of Penn Avenue which are presently zoned "R4" between Friendship Avenue and Cullen Street, 9th Ward. Council District No. 7"

Which was read.

Also,

Bill No. 2145

A Resolution entitled, "Resolution amending and supplementing Title 5 of the Pittsburgh Code Chapter 549, Residential Parking Permit Program to amend Section 549.06 (c) and (d) Recommendation of the City Planning Commission to change the recertification process and lengthen the time period; and Section 549.08 Visitor's Passes to restrict the usage and the number of Visitor's Passes and permitting their purchase by businesses."

Which was read.

Mr. Cohen:

On Bill 2145 regarding permit parking, I reluctantly voted for this preliminarily. This, of course, is to change the certification period for permit parking and also to restrict the visitors passes.

I think ultimately I was convinced that the abuses related to visitors passes need to be corrected. But, at the same time, we did get some commitments from the Administration after I think there were two public hearings and several Council meetings on this, and that was for people who do need visitors passes on a regular basis for a longer period of time, say, people who have a baby sitter coming regularly or some other person to their home, that the Planning Department did commit themselves to setting up a process by which people could get an exception to this law.

So, I'm going to vote for it today and I think it makes sense to restrict abuses for visitors passes. At the same time, I hope it doesn't create another abuse by government with the Planning Department not putting into effect this program for allowing people to get exceptions who deserve it.

So, what I'm saying is, I think we need to keep a watchful eye to make sure the Planning Department fulfills its commitment. And, if they don't, I think we should repeal this. But let's at least give them the chance.

Michelle Madoff:

May I please have my comments brought forward on the same subject?

(REMARKS ON FOLLOWING PAGES)

(BEGINNING - MICHELLE MADOFF'S COMMENTS ON BILL NO. 2145,
WEDNESDAY, MAY 12, 1993)

Michelle Madoff:

Discussion. I hope Mr. Chairman that you notice this is permitting the purchases by businesses. That would affect the issue on Shadyside.

The Chair:

Let me speak to that. Actually it would not because the legislation for the Shadyside "A1" District specifically says that businesses are excluded from receiving permits, so it would not affect that.

Michelle Madoff:

My concern is that the people want to do business. You don't park your own cars or your employees cars and why would we do this, I don't understand it and I'd like that addressed.

The Chair:

We have Richard Meritzer and Jane Downing from the Planning Department.

Michelle Madoff:

It doesn't make any sense unless we're planning to give restauranteurs all of Mt. Washington and they can just have it and everybody can move off.

Would you explain what you mean by '549.08 Visitors Passes to restrict the usage and the number of visitor passes -- I have no problem with that because you have a good program in place and if somebody has called you, you do make provisosals for visitors and nurses and so on. But permitting their purchase by businesses, would you clarify that please?

Dir. Downing:

We are simply codifying a practice that we have been engaged in since the beginning of the program and where the business district is actually included in the permit parking area and there are some like the Bloomfield community business district as part of it so it's simply clarifying a practice that we've been doing.

Michelle Madoff:

Let me clarify where I'm coming from. As you know, I was a strong opponent of having the Shadyside merchants be able to park their cars or their employees' cars and in the infamous words of my hero Barbara Burns, she said, "Haven't the people learned in the rest of the city what we've learned on the Northside? If you park your own car in front of your business, how can you get customers to park?" Now my question is, I'm going to give you some specific examples and I would appreciate it if you would explain how it works.

Mt. Washington, all the restaurants. You can't drive through the streets, they have huge parking places, they have places to build parking lots to people them up, the people have nowhere to park. As you know, they have no driveways, they have no garages, they have been living there for years and the streets are narrow. Would this allow the businesses to park their cars?

Dir. Downing:

Only if that commercial district was included in the permit parking area.

Michelle Madoff:

Let's use a specific. The restaurants on Grandview Avenue, where do they park? This may be perfect. You may give them only three permits and that means they can only park three cars on the street and the streets will go back to the people; is that what we're talking about here?

Dir. Downing:

Yes. The program is primarily for residents and there's a premise on which the whole program is based --

Michelle Madoff:

-- you heard what happened to poor Rick Meritzer? He was practically beaten to death verbally and he got out by the skin of his teeth up in Grandview.

"I never give them hell, I just tell the truth and they think it's hell" -- that's my hero, Harry Truman.

As you know what happened the other night, the people are so irate about the restauranters owning the streets and they can't park anywhere and we tried to explain to them if this bill passed and you only give the businesses three permits, then the people get the streets back. Is that what the Lamont would

get, three parking spaces and Christopher's would get three parking spaces because they have their own parking lots.

Mr. Meritzer:

First of all it's been the policy of this program not to include blocks without residential units. So if a business block is specifically business it wouldn't be included so it wouldn't qualify for anything.

Michelle Madoff:

I want to resolve the problem --

Mr. Meritzer:

-- let me finish, okay. Second of all, we have in three situations now including the "A1" zone in Shadyside included residential units by address. We did that in Area R, we did that in Area U, Shadyside and we did one other place which I forget right now what it is --

Michelle Madoff:

-- I think you're answering a question I have asked yet.

Mr. Meritzer:

I'm getting to a point so that if Grandview Avenue were to be included we could just include the residential units and not the businesses.

The third point is that businesses would only qualify for one permit and one visitor's pass regardless so the most that could happen, the very most that could happen on Grandview is we'd include a couple businesses on blocks that are primarily residential and they'd get one permit and one visitor's pass.

Michelle Madoff:

That might solve the problem, I think that's what you told the people there that night and that's what I reiterated that you had said and that was their concern, so I want to be sure that I'm absolutely clear. The reason you're up there is that people need a permit parking and they didn't understand because they felt the reason they were so hostile to you is they felt that the businesses would take the spaces. That was their concern more than anything else.

Mr. Meritzer:

I always say at meetings that the first name of this program is residential.

Michelle Madoff:

They didn't hear that and the treatment you got was not right and I apologize but there's nothing I can do about that. You were not treated very fairly and what I'm saying is that now we're talking about businesses purchasing. I want to know specifically in the zoning area that we're looking at because it's long overdue, you have four restaurants, we have a huge public parking. Most of the restaurateurs have their own parking lots. Will we provide sticker parking for the residents in those side streets and exclude the businesses?

Mr. Meritzer:

The only block of Grandview Avenue we're looking at this point for that Duquesne Heights Mt. Washington District is the 1000 block of Grandview and that's the only block we're considering for permit parking at this point on Grandview but are considering the side streets

Michelle Madoff:

You're missing my point, I'm not interested in Grandview. I'm interested in the side streets where the cars are parked. They are not parked on Grandview, they are parked on the side streets.

Mr. Meritzer:

The side streets will be included but the businesses on Grandview won't be.

Dir. Downing:

So the people going to the businesses will not be able to park any longer --

Michelle Madoff:

-- that's what I said. This will be finally giving the people the right to have some parking somewhere within two blocks of their own house for the first time.

Dir. Downing:

There will be some time that visitors can park.

Michelle Madoff:

And nobody goes to dinner -- and that was the other thing that came up. The two hour parking had everybody upset because if you go to dinner you go for two hours. You park in somebody's space, everybody comes up there. Two thousand people

going to an event at one of the major restaurants and they park on the side streets and nobody can park at all but if you do it for one hour nobody will use it. They will go to the parking lots and the businesses will take the properties they own which are vast and just build up more garage space, they own them already. On the lots where if they don't have adequate space they'll build a second story, so that what we need to do is give the people back their own streets and I think that was your intention here and I was not attacking you. I said I'm friend not foe but I wanted to clarify it because if somebody hears this bill and says permitting their purchase by businesses, they're going to say "Ah,huh" and I'm glad you clarified it so I want to be perfectly clear. We're going to give the side streets that run into Grandview about where the several restaurants are, The Saloon, the Lamont,, Cliffside -- I can't think of the others -- all those restaurants will no longer be able to park in the sticker parking over one hour.

Dir. Downing:

Or whatever the they agree on.

Michelle Madoff:

So it will be one hour for people who do not have -- people who have sticker parking can park longer, can they not?

Dir. Downing:

Yes, they can park.

Michelle Madoff:

But the guests can only park for one hour, that is what they want and I am their spokesperson, that is what they've told me and I am relating what they want. No longer than one hour. That gives them the right to claim their own streets. I deliver the message for about 40 streets, one hour.

Mr. Meritzer:

We can do one-half hour.

Michelle Madoff:

I know but I think that would be unfair to everybody and you've told them that but they didn't hear you. So I would suggest that we go with their compromise of one hour and I'd like to have it incorporated in this bill.

Dir. Downing:

We'll need a whole separate bill for that district.

The Chair:

Any other discussion on this bill? We did have a public hearing on this bill and had extensive discussion at that time too. All those in favor? Opposed? The ayes have it.

Michelle Madoff:

Mr. Chairman, you do know what it's like when you come into a community and the people come after work. How many people were there, 150?

Mr. Meritzer:

It was over 100.

The Chair:

All those in favor? Opposed? The ayes have it.

Michelle Madoff:

Mr. Chairman, do we understand that that part of the bill will be changed to one hour or I'm not voting for this.

Mr. Ferlo:

We're not changing it.

Dir. Downing:

This affects the whole city.

The Chair:

The bill doesn't change how it deals with businesses at all. What it does it two things --

Mr. Ferlo:

-- each zone is separate and distinct.

Michelle Madoff:

-- when will I get my bill -- when will I see it for our district restricting it to one hour?

Mr. Ferlo:

When it goes through the process.

Dir. Downing:

And we need the petition of 70 percent saying that they want to introduce a study. We have just started the process and --

Michelle Madoff:

-- my office will send out a letter to the streets that have been requested explaining it in layman's language so that they understand that it is a one-hour and they can reclaim their streets. They didn't understand that. They are ready to hang him.

The Chair:

Thank you very much, the ayes have it.

(END OF COMMENTS)

PREPARED BY: MARY ANNE HRUSKA
STENOTYPE REPORTER

Also,

Bill No. 2529

A Resolution entitled, "Resolution providing for an Agreement or Agreements with a consultant or consultants to conduct parking studies to determine if selected Pittsburgh residential neighborhoods meet the impactation criteria as specified in the Residential Parking Permit Program Ordinance, Chapter 549.04, in order to qualify for designation."

Which was read.

Also,

Bill No. 2530

A Resolution entitled, "Resolution approving execution of a contract for disposition by sale of land by and between the URA of Pittsburgh and Mercedes C. Taylor for the sale of Block 173-C Lots 11 & 12 in the 12th Ward of the City of Pittsburgh (Residential Rehabilitation)."

Which was read.

Also,

Bill No. 2531

A Resolution entitled, "Resolution authorizing the URA of Pittsburgh to acquire property in the 12th Ward of the City of Pittsburgh under the Residential Land Reserve Fund, said property having been certified as blighted by the vacant property review committee and the Planning Commission of the City of Pittsburgh: Block 173-C, Lots 11, 12."

Which was read.

Also,

Bill No. 2532

A Resolution entitled, "Resolution approving execution of a contract for disposition by sale of land by and between the URA of Pittsburgh and Allegheny Union Pittsburgh Project, Inc., for the sale of the following property in the 3rd Ward: Block 11-A, Lots 123, 124, 127, 129."

Which was read.

Also,

Bill No. 2533

A Resolution entitled, "Resolution authorizing the URA of Pittsburgh to acquire all of the City's right, title and interest, if any, in and to the publicly-owned property in the 3rd Ward of the City of Pittsburgh designated in the Deed Registry Office of Allegheny County as Block 2-H Lot 285 under the Residential Land Reserve Fund."

Which was read.

Bill No. 2534

A Resolution entitled, "Resolution approving execution of a contract for disposition by sale of land by and between the URA of Pittsburgh and Audrey Reindhardt for the sale of Block and Lot 12-E-159 in the 17th Ward of the City of Pittsburgh (Sideyard)."

Which was read.

Also,

Bill No. 2535

A Resolution entitled, "Resolution authorizing the URA of Pittsburgh to acquire that property in the 17th Ward of the City of Pittsburgh owned by Edward Lucas and designated as Block & Lot 12-

E-159 in the Deed Registry Office of Allegheny County, under the Residential Land Reserve Fund, said property having been certified as blighted by the vacant property review committee & Planning Commission of the City of Pittsburgh."

Which was read.

Also,

Bill No. 2536

A Resolution entitled, "Resolution authorizing the URA of Pittsburgh to condemn and acquire all of the City's right, title and interest, if any, in to the following publicly-owned property in the 3rd Ward of the City of Pittsburgh under the Residential Land Reserve Fund, said property having been certified as blighted by the vacant property review committee and the Planning Commission of the City of Pittsburgh."

Which was read.

Also,

Bill No. 2537

A Resolution entitled, "Resolution approving execution of a contract for disposition by sale of land by and between URA of Pittsburgh and Central Hill Associates for the sale of the following property in teh City of Pittsburgh (sideyard): Block 9-R, Lot 155, 3rd Ward."

Which was read.

Also,

Bill No. 2572

A Resolution entitled, "Resolution authorizing and directing the Mayor and the Director of the Department of City Planning to enter into a lease

and agreement with Edward and Mary Ann Graf (or legal entity created or designated by them) to lease two parcels of property along Nash Street between Pressley and East Ohio Streets for use a parking area and parklet." -(SPONSORED BY MR. ONORATO).

Which was read.

Mr. Onorato:

On Bill 2572, I'd like my comments brought forward.

(REMARKS ON FOLLOWING PAGE)

(BEGINNING - MR. ONORATO'S COMMENTS ON BILL NO. 2572, WEDNESDAY,
MAY 12, 1993)

Mr. Onorato:

Discussion colleagues, real quick. This has been going on for over a year now. This is The Priory on the Northside and their desire to renovate the St. Mary's Church which is right next door to The Priory. The renovation has been on hold until they have the parking which is a piece of land owned by PennDOT that was purchased during the East Street Valley renovation of the highway. Finally we cleared it up with the federal and state government and as you can see here this is the file from the last six months working on it. The lease has been redrafted about four times with concerns with the neighborhoods, concerns from the Graf's who own The Priory and the City's concerns, so it appears that the way we have to do it because of federal regulations is that City will own the land, lease it to the Graf's who own The Priory with the understanding that the lot will remain a public access lot and The Priory will have priorities on evenings and weekends for their events but at the same time the businesses along East Ohio Street will have access to use the lots with a lease that would be at the same rates that the City charges with our lots and also the community would have access to the lots with leases also, so it will be open to the public. We probably have \$1 million of private dollars going into renovation of a church for a nice banquet facility on the Northside. It's a good project and I hope I have the support of everyone on Council.

(END OF COMMENTS)

PREPARED BY: MARY ANNE HRUSKA
STENOTYPE REPORTER

The Chair:

Is there any further discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. Onorato
Mr. Ferlo	Mr. Ricciardi
Michelle Madoff	Mr. Wagner
Mr. O'Connor	(Pres't)

AYES 7 NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Mr. O'Connor presents

Bill No. 2644

Report of the Committee on Parks and Recreation for May 12, 1993 transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 2541

A Resolution entitled, "Resolution providing for an Agreement or Agreements with Dynamic Color, Inc. for the license of copyright interest and the receipt of royalty fees therefor."

Which was read.

Also,

Bill No. 2542

A Resolution entitled, "Resolution providing for an Agreement or Agreements with the Pittsburgh Board of Education for the purpose of providing meals in connection with the Summer Food Service Program in the Department of Parks and Recreation. The total cost shall not to exceed \$75,000.00, and shall be chargeable to and payable from Code Account SSFP (270256) Special Summer Food Service Program in the Department of Parks and Recreation."

Which was read.

Also,

Bill No. 2543

A Resolution entitled, "Resolution providing for a license to Duquesne Light Company for the installation, use, operation, maintenance, repair, renewal and finally, removal of an overhead electrical system on certain property of the City situate in the 12th Ward in connection with furnishing electric service to the City of Pittsburgh Police Firing Range."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. Onorato
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Mr. Ferlo
Michelle Madoff
Mr. O'Connor

Mr. Ricciardi
Mr. Wagner
(Pres't)

AYES 7 NOES none

And a majority of the votes of Council
being in the affirmative, the bills passed finally.

Mr. Ricciardi presented

Bill No. 2645

Report of the Committee on Engineering and
Construction for May 12, 1993 transmitting
sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 2499

A Resolution entitled, "Resolution providing for
a Contract or Contracts for the Reconstruction of
Grant Street/Liberty Avenue-Phase 3; providing
for a Reimbursement Agreement or Agreements
with the Commonwealth of Pennsylvania,
Department of Transportation; and providing for
the payment of the costs thereof. Chargeable to
and payable from the Grant Street Trust Fund
Index Code #252429. At a cost range of
\$5,500,000.00 or more but less than
\$9,500,000.00."

Which was read.

Also,

Bill No. 2502

A Resolution entitled, "Resolution further
amending Resolution No. 1049 effective January
1, 1989, as amended, entitled "Resolution

adopting and approving the 1989 Capital Budget
and the 1989 Community Development Block
Grant Program; and approving the 1989 through
1994 Capital Improvement Program," by
amending the title and Code Account of EC89-02
(Grant/Liberty Phase 3)."

Which was read.

Also,

Bill No. 2503

A Resolution entitled, "Resolution further
amending Resolution #1415, effective January 1,
1991, as amended, entitled "Adopting and
approving the 1991 Capital Budget and the 1991
Community Development Block Grant Program;
and approving the 1991 through 1996 Capital
Improvement Program", by amending the title of
EC91-389 (Grant/Liberty-Phase 3) to read "Trust
Fund Transfer."

Which was read.

Mr. Ricciardi:

I'd like to ask that my discussion of Mr.
Reginella, Assistant Director of Engineering and
Construction, on Bills 2499, 2502 and 2503
please be brought forward.

(REMARKS ON FOLLOWING PAGES)

(MR. RICCIARDI'S REMARKS ON BILLS NO. 2499, 2502 & 2503)
(Wednesday, May 12, 1993)

. Ricciardi:

Thank you, Mr. Cohen. We have with us Assistant Director Reginella and I believe Jane Downing has left Council members.

I will be very short. I think it is important that this city continues to invest in the Downtown area, for obvious reasons. We have to make the City of Pittsburgh and especially Downtown a very exciting place to live, and in order to do that, it is very important that we invest in our infrastructure and especially in the future of our merchants, because if the merchants are doing well, obviously that means additional revenues in the city coffers.

The question I had raised in the past, Mr. Cohen, was one of consistency and fairness. And since an article appeared in our local newspapers, the Pittsburgh Post Gazette, I have received several phone calls from merchants on Fifth Avenue and Forbes Avenue. There was an article -- and I will forward that to the Pittsburgh City Council -- in 1990 where Mayor Masloff had a press conference where she said they were going to upgrade Fifth Avenue and Forbes Avenue and there was going to be merchant participation. So obviously, the merchants on Fifth Avenue and Forbes Avenue that contacted my office are a little distressed at when infrastructure improvements would occur on their sidewalks, that they were asked to participate in the program. However, in this program, merchants were not asked to participate. That is really at this stage not my bone of contention, because it is very difficult to ask merchants to participate in an expensive endeavor while the economy does not allow for it.

While I think in the long run it would benefit us to continue our infrastructure improvements throughout the city including this area, the problem that I have with this bill and the reason I will probably be voting no on it on Tuesday is exactly the improvements in question. And the improvements that I have that I really believe that the City Council should talk about, it comes down to a very small issue, but one that it is very important in all our neighborhoods, because we have to call that every dollar that is spent in one area is one less dollar that can be spent elsewhere. It goes back to the sidewalks, not the vaults themselves, because the vaults will be the responsibility of the merchants. But on one side of the street in order to upgrade the sidewalks, the Cultural Trust has made a commitment of \$75,000.00 to go from concrete to brick work, and I commend the Cultural Trust for their continued operation and partnership with this Council and this administration. However, the other side of the street there are merchants, property owners that can definitely afford to upgrade their own sidewalks, we will be doing this with tax dollars. It

raises a very interesting point, because I think all of us in the City of Pittsburgh -- excuse me -- I think all of us in our own district can point to city retaining walls in our districts, city steps in our district that are in need of repair, city sidewalks that are in need of repair on Parks property, on the three taxing bodies. I think it is going to be very difficult for myself to approve upgrading sidewalks of property owners, their own personal lots, when in my district itself I can point to many city infrastructure facilities such as the steps, the retaining walls, even the streets themselves that need to be upgraded.

So again -- and I am not going to make this a demographic on this notion. I support the improvements, I support the amount of money we are going to spend, I think it is a good program. But it goes down to a very small component of the project itself, less than \$30,000.00, I believe, but \$30,000.00 that is going to be very important. And for that reason, I cannot support these bills. I believe that merchants should be upgrading their own sidewalks, that it is our responsibility to upgrade the infrastructure. And if I may also, colleagues and Mr. Cohen, we will provide, once we do the infrastructure repairs, the concrete sidewalks, we will put them in, and I agree with that part, because obviously the merchants are going to suffer to a certain degree of inconvenience and possibly loss of business, and obviously we are going to be doing such repairs on the vaults themselves and the curbing, that we could damage the sidewalks in question. But to upgrade a personal property from concrete to brick at a cost of tens of thousands of dollars I just don't feel comfortable with.

Again, please, colleagues, realize that I support this type of expenditure, I support improving the Downtown area, I support city infrastructure improvements, I even support replacing their own sidewalks with concrete, which again is an expenditure of tax dollars to support a private lot. But to upgrade their sidewalks to the degree that that is going to be less money in our own districts for city facilities, I cannot support these bills.

Mr. Cohen, as you know, I usually don't go off long. I thank you for your indulgence on that, but I think everyone understands my position here today.

(Deleted text.)

Mr. Ricciardi:

Yes. The numbers I had run, I believed anywhere from 29 to 36, and that is why I did admit to this Council it was a very small component.

But remember, the question really isn't dollars here, it is being fair and consistent. And it is very difficult for myself to go back to my district and say, "We have upgraded someone's sidewalk," when I have a retaining wall on Newton Street and

city steps on 30th Street that have not been repaired because of lack of city dollars. So that is where I am coming from on this note.

(END OF REMARKS.)

(Transcribed by Helen L. Kriebel, Stenotype Reporter)

The Chair:

Is there any further discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. Onorato
Mr. O'Connor	Mr. Wagner
	(Pres't)

AYES 4 NOES 2

(MR. FERLO AND MR. RICCIARDI VOTING NO)

And a majority of the votes of Council not being in the affirmative, the bills were tabled.

Mr. Ricciardi:

I'd like to discuss this with our President, Mr. Wagner and Mr. Perry, if we should not maybe reconsider those bills and recommit them. Bills 2499, 2502 and 2503.

The Chair:

If you would like to do that, we've taken a vote on the bills. They actually are recommitted, can be recommitted simply with a vote to untable them.

Mr. Ricciardi:

They were defeated; however, in order to be fair to the colleagues that are not at this table, I would like to take a person on the opposite end, either Mr. Ferlo or myself, to ask for the

recommittal. I think that would be only right to do because a few people aren't at this table.

The Chair:

If we need to do that, we need to do it immediately. And it takes five votes to recommit.

You have to put a motion on the floor for reconsideration of the vote.

Mr. Ricciardi:

And does the motion have to come from someone who voted no?

The Chair:

Yes. Either you or Mr. Ferlo.

Mr. Ricciardi:

I'd like to make a motion to reconsider the bills.

Mr. Cohen:

Second for discussion. Point of Order, for fear of wading into this procedural morass.

If the vote was just two negative votes, because it's a warrant wouldn't it just be tabled and not defeated? How could it be defeated if there were more votes in favor than against?

Mr. Perry:

That is correct. If a bill receives the majority of votes of Council present, but not the majority of the votes of Council elected, the bill is tabled.

Mr. Ricciardi:

I withdraw my motion.

The Chair:

So, in other words, we can reconsider the vote at the next meeting on these bills.

Also,

Bill No. 2501

A Resolution entitled, "Resolution further amending Res. No. 595, effective 7/9/85, as amended by Res. No. 810, effective 8/22/91, as amended by Res. No. 987, effective 10/9/92, entitled "Providing for an Agreement or Agreements, or Supplemental Agreement or Agreements, with a Consultant or Consultants, for professional Engineering Service in connection with the Design of the Rehabilitation of the Schenley Park Bridge over Boundary Street and for Construction Inspection Services for said project; providing for a Reimbursement Agreement or Agreements with the Commonwealth of Pennsylvania, Dept. of Transportation; and providing for the payment of the cost thereof," by increasing the total project allocation by \$50,000.00 from \$500,000.00 to \$550,000.00, chargeable to and payable from PW 84-17, Index Code #306456 (\$225,000.00) and EC 90-74, Index Code #813402 (\$325,000.00)."

Which was read.

Mr. Cohen:

On the bill involving the Schenley Park Bridge, we did schedule a post agenda meeting for that. Do you remember what date it is, Mr. Perry?

By the end of the meeting, if you don't mind, I'll announce when the date of the post agenda meeting is, but we invited, of course, the Director and the Assistant Director of the

Department of Engineering and Construction, the appropriate person from PennDOT and the members of this ad hoc Committee for the Preservation of the Schenley Park Bridge here to City Council to discuss the issue that was brought up last Wednesday regarding the historical character of that bridge, particularly the barriers, whether to use concrete Jersey barriers or whether to use these Massachusetts barriers that are more in tune with the historical nature of the bridge.

Mr. Perry is getting the date for that post agenda meeting, but we'll be having that soon.

Mr. O'Connor:

Can they bring pictures of what a Jersey barrier is. That sketch was not very — I don't know where else it is in the area.

Mr. Cohen:

Absolutely. I'll have them do that.

The date, Mr. President and Members of Council, is Thursday, May 27th, right after the Council Meeting.

And, Mr. O'Connor, I'll make sure that they bring a better picture of that Massachusetts barrier.

Mr. O'Connor:

I never saw it and I'd like to see it.

The Chair:

Is there any further discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. Ricciardi
Mr. O'Connor	Mr. Wagner
Mr. Onorato	(Pres't)

AYES 5 NOES 1

(MR. FERLO VOTING NO)

And a majority of the votes of Council being in the affirmative, the bill passed finally.

MOTIONS AND RESOLUTIONS

Mr. O'Connor:

I just want to commend my colleagues. I think their actions today are very good. I get a lot of comments on the positive aspect of this Council. I think it shows us that we're going to stay together and go in the right direction. There's plenty of time to make changes in January when the new members come on. And since there will be a new Administration coming, that the employees of the City continue to work hard. There's a lot of people counting on all of us to do the right thing for the next six months. We face a lot of challenges and I just want to commend everybody and hope that we work hard together until the new Administration comes.

And on the motion of Mr. Cohen

Council adjourned.

MUNICIPAL RECORD

Proceedings of the Council of the City of Pittsburgh

VOL. CXXVII

Tuesday, May 25, 1993

No. 21

Municipal Record

ONE-HUNDRED TWENTY-SEVENTH COUNCIL

JACK WAGNER President
MICHAEL PERRY City Clerk
LINDA M. JOHNSON-WASLER..... Asst. City Clerk

Pittsburgh, PA
Tuesday, May 25, 1993

PRESENT:

MR. COHEN	MR. O'CONNOR
MR. DARKINS	MR. ONORATO
MR. FERLO	MR. RICCIARDI
MICHELLE MADOFF	MR. WAGNER
	(Pres't)

The Meeting was opened by the recitation of the Pledge of Allegiance to the Flag of the United States of America, and a moment of silent prayer for peace throughout the world.

I pledge allegiance to the Flag of the United States of America and to the Republic for which it stands, one Nation, under God, indivisible, with liberty and justice for all.

PRESENTATIONS

The Chair:

Members of Council, ladies and gentlemen, I'd just like to take a moment to welcome the Carlow Campus School Third Graders here to City Council and the Teacher is Candy Loughney. She is the daughter of Mayor Barr.

Welcome to City Council. Enjoy your stay.

Mr. Cohen:

Would J.E. Paisley and Bill Brierton please come up, please?

Members of Council and members of the audience, it's my great privilege to introduce the following resolution.

Mr. Cohen presents

No. 2686 WHEREAS, J.E. Paisley of Shadyside and William Brierton of Bloomfield, both residents in Council District 8, were two of 50 Distinguished Americans honored by President-elect and Mrs. Clinton and Vice President-elect Al Gore at the Faces of Hope Luncheon on January 18, 1993; and

WHEREAS, Ms. Paisley and Mr. Brierton were selected for their courage and strength in dealing with adverse situations as well

as for their efforts for the campaign of President Bill Clinton; and

WHEREAS, J.E. Paisley, who overcame extensive physical debilitation caused by five aneurysms, a massive cerebral hemorrhage, and a stroke in 1990 and Bill Brierton, who lost his job as a steelworker when the Teledyne Columbia Steel Works closed in 1990 served as an inspiration to the Clintons and the Gores as they campaigned across the nation; and

WHEREAS, the theme of the 1993 Presidential Inauguration was "An American Reunion -- New Beginnings, Renewed Hope", signaled a reconnection between the people and their government and a recommitment of government to serving the people which was symbolized by the lives of J.E. Paisley and Bill Brierton; and

WHEREAS, as guests of the Clintons and the Gores, Ms. Paisley, Mr. Brierton and the other "Faces of Hope" participated in a full week of inaugural activities as guests of the 52 Presidential Inaugural Committee.

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh hereby congratulates and commends J.E. Paisley and William Brierton for their courage and good works; and

BE IT FURTHER RESOLVED, that the Pittsburgh City Council hereby proclaims May 18, 1993 to be "J.E. Paisley and William Brierton Day" in the City of Pittsburgh.

Mr. Cohen moved to adopt the resolution.

Mr. Ferlo seconded the motion.

Which motion prevailed.

Mr. Cohen:

Thank you very much. I have two very, very special people with me this morning and it's such a privilege to be able to give them this proclamation.

J.E. Paisley, to my left, all of you on Council know because J.E. worked for me as an Administrative Assistant in my office and did an excellent job. You may also recall that J.E. was stricken by five aneurysms and, I must admit, many of us thought that she wasn't going to make it. But she did. And not only did she make it in terms of her health, but she also didn't give up. She fought back and she fought back hard. And J.E. has become a real inspiration to me and to a lot of people in the City and across the country because J.E. began volunteering for many, many different groups, more groups than I can name, and then started talking about her experiences first to people who she was rehabilitated with, people in the hospital and the rehabilitation centers, and then started talking to groups in this area and across the country. She went to Congress and spoke to the Pennsylvania Delegation there. She went to Harrisburg and spoke to Governor Casey about the need for quality health care and her experiences that led to her understanding of that need. And she now speaks to stroke victims around the region and around the United States. So it's not surprising that President Clinton and Vice President Gore chose J.E. Paisley as one of the 50 Faces of Hope for the message that they wanted to convey with their Inaugural activities.

Bill Brierton also is somebody who underwent a very difficult period. Mr. Brierton worked for 25 years for the Teledyne Columbia Steel Works and was laid off in 1990. He's still fighting. He hasn't given up; he's still fighting back. He's still unemployed and he needs a job, frankly, and he is a symbol of what this region has undergone, really the anguish of transforming

from a manufacturing sector to a service sector, and a symbol of hope for all of us.

So, being able to present this proclamation to both of these special people is a real privilege for me. So, without further ado, I'd like to present this proclamation to J.E. Paisley and to Bill Brierton. Congratulations.

Ms. Paisley:

Thank you, Dan and City Council.

The Faces of Hope was to honor distinguished Americans. Distinguished? Hardly. Unemployment, AIDS, poverty, homelessness and strokes don't make you distinguished. Millions of us have been hit. But I guess what the Clintons and the Gores thought was honorable is that once you're hit, you don't stay down. You work on it. You don't give up. You keep on breathing. You learn to walk again. You'll see again.

I had a lot of support but you don't stop trying. Keep on trying to fly. You don't get something for nothing and there are an awful lot of Faces of Hope out there and we've all got to pull together behind the one hope we've all got, and that's for a better tomorrow. You have to have hope. Thank you.

The Chair:

Thank you.

Mr. Ferlo:

I'd like the representatives from the Pittsburgh Mediation Center to come forward, please. We have a number of boardmembers here this morning from the Pittsburgh Mediation Center which is an organization certainly no stranger to the City, to our neighborhoods, and certainly no stranger to this City Council nor to

our Public Safety Department. I will introduce them shortly and maybe a couple of them would like to say a few words.

We are also joined today by our City Court Magistrate, Judge McLaughlin.

Mr. Ferlo presents

No. 2687 WHEREAS, the month of May has historically been declared "Mediation Month" to promote mediation as a constructive, low to no cost, cooperative, non-adversarial means of dispute resolution; and

WHEREAS, mediation is a dispute resolution alternative to traditional adversarial legal suits in which a neutral, third party, the mediator, facilitates a process which allows disputants to design a mutually acceptable agreement of resolve; and

WHEREAS, the Pittsburgh Mediation Center is a non-profit, community based organization that promotes collaborative dispute resolution through public education, training, community mediation programs and related services; and

WHEREAS, mediators are trained by the Pittsburgh Mediation Center and invited to become part of the pool of volunteer mediators who are on call to mediate disputes referred to the Center; and

WHEREAS, "Mediation Month 1993" marks the start of a new Pittsburgh Mediation Center program initiative, the Victim Offender Mediation Program, which will offer victim/offender reconciliation with a focus on juvenile, first time offenders.

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh hereby declares the month of May,

1993 as "Mediation Month"; and

BE IT FURTHER RESOLVED, that the Council commends the Pittsburgh Mediation Center for their continuing contribution to making alternative dispute resolutions available to the people of the City of Pittsburgh.

Mr. Ferlo moved to adopt the resolution.

Mr. Cohen seconded the motion.

Which motion prevailed.

Mr. Ferlo:

It was several years ago that City Council, by way of showing some more formal support, began to make an annual contribution out of the operating funds through the Public Safety Department to basically contract with this important agency. There are a number of important organizations within the Public Safety Bureau. This one is very unique and I know historically they have played a significant role and have been utilized by many neighborhood based organizations.

It was my hope with the Youth Commission that one of the additional, and I see it made mention here in the proclamation, I think this agency and organization with all the skills that they've acquired can be most beneficial as it relates to some of the problems confronting the youth of this City and we hope to be able to draw on their expertise and their involvement in the future in a more significant way.

We have a number of boardmembers here from the Center, besides Irene. We have Betty Pickett who is on the Board; Juanita Moore; Diedra Lewdanski, I believe is one of the Executive Directors. We also have Muiga Kwanza; we have Dave Price who I know for many years from fighting utility companies. We

have Mike Nash and we have Ellen DeBenedetti who is, herself, one of the Mediators.

At this time I'd like to ask a couple of you to come up and say a few words.

Ms. Pickett:

On behalf of the board and staff of the Pittsburgh Mediation Center, Jim, I want to say thank you as well as to all of City Council not only for the proclamation but also for the four years of financial support that you've given to the Center so we can do the work that we're doing.

I guess the support is your way of showing your commitment to the goals of the organization and we are looking forward to a continued relationship, a collaborative relationship in the years to come.

With the level of crime and violence that we are seeing not only in the City but in the County, we are looking for all kinds of support for alternative dispute resolution and we feel that the Pittsburgh Mediation Center is one of the better alternatives.

So, we want to say thank you again and hopefully that financial commitment will continue for several years to come.

I would also like to say that we do have board and staff here but there are also trainers, there are also mediators, and so it's a real cooperative effort among us to get the work done and we can't do our work without the support of not only City Council but the citizens of Pittsburgh. So thanks to all of you.

Speaker:

I would like to thank Councilman James Ferlo in addition to other City Councilmembers for their continued support in addition to the

Mayor of the City of Pittsburgh and our on-going continuing relationship with each and every one of you.

We recently attended a Pennsylvania Council of Mediators Conference in Harrisburg this past month and found that we're being looked to as a model for a City program that can really promote mediation and cooperative conflict resolution in terms of resolving disputes. I hope that we can continue to be an inspiration in the Mid-Atlantic region in addition to the State of Pennsylvania and across the country.

On behalf of the Mediation Center, along with Betty Pickett as representative of the Board, thank you very much.

Mr. Ferlo:

Speaking of a reconciliation, we also have some representatives here from the United States - Cuba Friendship Society and we'd like them to come forward also.

Cuba is one of those big countries just 90 miles off of our shore. It's not China, it's not the Soviet Union, and I think many people, certainly there's a growing sentiment in this Country, that we should begin to normalize our relationships regardless of the economic and political structure in that country.

Mr. Ferlo presents

No. 2688 WHEREAS, the United Nations General Assembly, the American Public Health Association, the World Health Organization and the United Council of Churches have all called for a normalization of relations between the United States and Cuba; and

WHEREAS, despite the end of the Cold War era, the United States, through passage of the

Torricelli Bill, has strengthened the harshest embargo ever placed against any nation including Iraq or Vietnam; and

WHEREAS, the United Nations General Assembly has declared the United States' embargo against Cuba which interferes with the Cuban people's access to food and medicine to be illegal under international law; and

WHEREAS, on July 17, 1993 a contingent of Pittsburgh residents will be leaving Pittsburgh to join the U.S. - Cuba Friendshipment Caravan in delivering food and medicine directly to the Cuban people.

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh hereby officially declares the week of July 11 - 19, 1993 to be "United States - Cuba Friendship Week" in the City of Pittsburgh; and

BE IT FURTHER RESOLVED, that the Council of the City of Pittsburgh hereby recognizes the U.S. - Cuba Friendshipment Caravan for its humanitarian efforts and encourages Pittsburghers to contribute food and medicine to the Friendshipment Caravan.

Mr. Ferlo moved to adopt the resolution.

Mr. Darkins seconded the motion.

Which motion prevailed.

Mr. Ferlo:

We have a few guest with us today. We have Lisa Valenti from the U.S. - Cuba Organization. We have also Michael Drohem and Joe Heckle. Milt Wolfson who is a long-time friend, very active in the Squirrel Hill community, is not here today but he, himself, I believe is driving and going on the Caravan.

Again, this is an international appeal that involves not only the United States but actually starts out in Canada, our northern neighbor. There are many provinces and whole cities in Canada who are mobilizing and supporting the Caravan. Everything from grade school children to union organization and others are contributing supplies. Various parts of this Caravan will go throughout the United States, actually coming through Pittsburgh, and will go through the country of Mexico also before embarking on a freighter to Cuba.

At this time I'd like to invite Lisa or maybe some of the other representatives to say a few words about what this whole initiative is about.

And, in addition to this specific friendship initiative, on a longer range basis this organization is attempting to establish a Sister City in Cuba. I believe we have about ten Sister Cities now here in the City of Pittsburgh with other countries, most recently San Ysidro, Nicaragua. And it's our hope also that we can establish a Sister City initiative within Cuba and here in Pittsburgh.

Ms. Valenti:

Thank you. This resolution embodies and makes possible the prayer for peace that we just said when we came in today.

I'd like all of our members to speak but basically we are the strongest nation in the world and we should be the leaders in peace and we should not continue to isolate a small nation of ten million people who are in the distress that they are in at this moment. They have had over \$1 billion worth of damage from the winter storm that came through here in their infrastructure, and the United States won't even allow a bag of cement to go through. So, I think that this is not the type of policy that certainly we want to be a part of.

Thank you very much to the City of Pittsburgh for your vision in creating what will be our future, which is friendship between the United States and Cuba.

Speaker:

Good morning. You have all heard, I'm sure, of the news that some 26,000 people in Cuba are suffering from a peculiar disease of blindness which it is thought may be related to malnutrition. And, of course, that's related to the general situation of Cuba internationally and the embargo of any food or medicines or anything which might help to keep that people alive and healthy.

A famous American, Cardinal Beridine said a few years ago that the struggle for and respect for life is a seamless robe and that we cannot be picky and choosy if we are for life and if we are for justice and peace in the world.

And so it is in that context that we asked the City Council to make the proclamation. I don't think we can be for helping the people of Somalia and responding to their plight and forget the people of Cuba. Or we can't do it for some other corner of the world and omit the others. I think it is a seamless robe. So it is in that way that we thank you for making this proclamation to bring to the public knowledge and bring to the public awareness the importance of our very near neighbors and friends, the Cuban people whose plight is so great at this moment and that we might do everything possible to life this embargo and bring it to an end. Thank you.

Speaker:

I speak today as a member of the Pastors for Peace organization. Pastors for Peace is a grassroots effort to show our love and concern for the rest of the world. It's people in the United

States taking humanitarian aid to people, first to Nicaragua, then El Salvador, and now to Cuba.-

We have a lot of political agendas. Some people have no political agendas. There are all sorts of persuasions of economics and politics and religion and everything else involved. But the single purpose of Pastors for Peace is to give the opportunity for people in the United States to help people in need. We fortunately can drive to Nicaragua and to El Salvador. We can't drive to Bosnia, we can't drive to Somalia, and we can't quite drive to Cuba, but we go down and put stuff on a freighter and take it there.

Pastors for Peace has been a blessing to the people who have been involved both in the United State and in Nicaragua, El Salvador and Cuba. We thank the Council for calling this to the attention of the City of Pittsburgh and we hope that more people on a grassroots level will be involved in helping other people in places in need. Thanks a lot.

The Chair:

Thank you all.

Mr. Onorato presents

No. 2689 WHEREAS, Brian Hardy has been involved in scouting for approximately eight years; and

WHEREAS, Brian Hardy worked his way up from a Cub Scout to a Weablo Scout to a Boy Scout; and

WHEREAS, Brian Hardy, a member of Troop #348, has earned the distinction of becoming an Eagle Scout going above and beyond all requirements, including performing the necessary hours of service and earning the required badges; and

WHEREAS, Brian Hardy is one of a very small percentage of boys involved in scouting who ever attain the rank of Eagle Scout.

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh recognizes the dedication, hard work and effort put forth by Brian Hardy in his attainment of the rank of Eagle Scout.

Mr. Onorato moved to adopt the resolution.

Mr. O'Connor seconded the motion.

Which motion prevailed.

Mr. Cohen presented

No. 2650 Resolution providing for the issuance of a \$1,000.00 warrant in favor of Robert Murray in settlement of claim for automobile damage incurred when a Public Works truck struck a parked vehicle due to the icy condition of the roadway, payable from Code Account No. 46, Judgments.

Also,

No. 2651 Communication from Melanie J. Smith, Director, Department of Personnel & Civil Service Commission, requesting approval for Stephen Cohen (a non-City employee) a Pittsburgh Private Industry Council (PIC) Member, to attend the Summer Challenge Conference on April 13-14, 1993 in Arlington, VA, at a total cost not to exceed \$705.00, payable from the JTPA-1 Trust Fund.

Which were read and referred to the Committee on Finance.

Mr. Darkins presented

No. 2652 Resolution transferring the amount of \$9,871.64 from Code Account 1612-

4, Salt, to Code Account LFT, Liquid Fuels Tax, both accounts within the Department of Public Works. This transfer is necessary to meet the state's 1990 and 1991 audit recommendations.

Which was read and referred to the Committee on Finance.

Also,

No. 2653 An Ordinance amending and supplementing the Pittsburgh Code, Title Six - Conduct, Article I, Chapter 601, Section 601.01 by providing the Director of the Department of Public Works the authority to create regulations controlling the posting of directional signage within the public right-of-way.

Also,

No. 2654 Resolution providing for a Contract or Contracts, or the use of existing Contracts for concrete pavement maintenance, rehabilitation and replacement throughout the City of Pittsburgh and other work incidental thereto, at a cost not to exceed \$400,000.00, chargeable to and payable from Code Account B Street Program.

Which were read and referred to the Committee on Public Works.

Also,

No. 2655 Resolution providing for the letting of a Contract or Contracts, or the use of existing Contracts for the purchase of Park Landscaping Equipment for the Dept. of Public Works, at a cost not to exceed \$28,000.00, chargeable to and payable from Code Account 1708, Equipment, Dept. of Public Works.

Which was read and referred to the Committee on General Services.

Mr. Ferlo presented

No. 2656 An Ordinance amending the Pittsburgh Code, Title Nine, Zoning, Article III, Chapter 921, Section 921.02, Zoning District Map No. 13, by changing from "R3" Multiple-Family Residence District to "M2" Limited Industrial District all that certain property bounded by: Second Avenue; Lot No. 198, Block 57-G in the Allegheny County Block and Lot System; Herbert Way; and Lot No. 93, Block 57-B in the aforesaid System; 15th Ward (Glenwood Redevelopment). (Council District No. 5)

Also,

No. 2657 Resolution approving a Conditional Use Exception under Section 993.01(a)A(9) of the Pittsburgh code, Title Nine, Zoning, Article V, Chapter 993, to Duquesne University for authorization to excavate 22,000 cubic yards and construct an athletic field and associated minor structures along Bluff Street and to construct a 349-space parking deck on existing parking lots adjacent to the Physical Plant on Forbes Avenue and Gibbon Street on property zoned "I-C" Institutional-Civic District, 1st Ward. (Council District No. 6)

Which were read and referred to the Committee on Planning, Housing and Development.

Mr. Ferlo moved to suspend Rule 8 by providing for consideration of all the bills only until or after the 8th calendar day following the meeting in which the bills were introduced so the bills will be on the agenda this Wednesday.

Mr. O'Connor seconded the motion.

Which motion prevailed.

Also,

No. 2658 Resolution amending Res. No. 453, eff. May 7, 1992 entitled: "Resolution providing for an Agreement or Agreements with the Urban League of Pittsburgh for administrative assistance in operating the 'Housing Counseling Program' for low-moderate income families, at a cost not to exceed \$210,000.00," so as to increase the amount appropriated from \$210,000.00 to \$420,000.00, chargeable to and payable from the 1992 CDBG Program, Dept. of City Planning, "Housing Counseling Services".

Also,

No. 2659 Resolution approving execution of a Contract for Disposition of Land by and between the URA of Pgh. and Brusue Associates, Inc. for the sale of Parcels 5 and 6 for \$1.00 per square foot, in the 25th Ward of the City of Pittsburgh in Redevelopment Area No. 49. The redeveloper plans to construct an 8,052 square foot commercial building for use by Rite-Aid Pharmacy. Parcels 5 and 6 will be combined with adjoining properties being privately acquired by the redeveloper. Parcels 5 and 6 contain approximately 13,000 square feet of land and are located at Brighton Road and Pennsylvania Avenue. The redeveloper is a corporation organized under the laws of the District of Columbia. The redeveloper's address is 910 Beaver Grade Road, Pittsburgh, PA 15108. Bruce J. Rakay is the President and Secretary and Susan Rakay is the Vice-President. (Council District No. 6)

Also,

No. 2660 Resolution approving the Pennsylvania/Brighton Redevelopment Proposal dated March, 1993 including Modification No. 1, to the Redevelopment Area Plan, for redevelopment activities in a portion of Redevelopment Area No. 49, Pennsylvania/Kirkbride, in portions of the 22nd

and 25th Wards of the City of Pittsburgh. (Council District No. 6)

Also,

No. 2661 Resolution approving execution of a Contract for Disposition of Land by and between the URA of Pgh. and Quik-It, Inc., for the sale of Parcel 3 for \$1.00 per square foot, in the 25th Ward of the City of Pittsburgh in Redevelopment Area No. 49. The redeveloper plans to construct a 3,780 square foot chicken restaurant and convenience store. Parcel contains approximately 16,000 square feet of land and is located at Pennsylvania Avenue and Brighton Place. The redeveloper is a Pennsylvania corporation located at 1227 Federal Street, Pittsburgh, PA 15212. Eugene Thomas is the sole owner and officer of the corporation. (Council District No. 6)

Also,

No. 2662 Resolution approving execution of a Contract for Disposition of Land by and between the URA of Pgh. and Chip Associates for the sale of Part of Parcel 8 for \$50,000.00, in the 28th Ward of the City of Pittsburgh in Part of Redevelopment Area No. 24. The redeveloper plans to construct a 12,000 square foot office, warehouse and distribution center for use by Pony Express, a courier and delivery service currently located in Carnegie, PA. Parcel 8 is being subdivided and this portion will contain approximately 94,173 square feet. The lot is located on Beechnut Drive at Mazette Road. The redeveloper is a Pennsylvania partnership with an office at 500 Wood Street, Suite 1615, Pittsburgh, PA 15222. The partners are Dan Summers, Rob Howard, Don Carlson, W. Timothy Barry and David J. Fasculo. (Council District No. 2)

Also,

No. 2663 Resolution approving execution of a Contract for Disposition of Land by and between the URA of Pgh. and Pittsburgh Habitat for Humanity for the sale of Parcel 57 for \$2,000.00, in the 5th Ward of the City of Pittsburgh in Redevelopment Area No. 32. Habitat for Humanity develops residential units throughout the country utilizing volunteer labor and also provides interest-free mortgages to the low-income buyers of these units. The Pittsburgh Chapter plans to construct two townhouses on this lot located at 166-170 Devilliers Street. The lot contains approximately 5,675 square feet. The redeveloper is a non-profit corporation with a mailing address at P.O. Box 364, Braddock, PA 15104. The officers are: Ann M. Philbrick, President; Jon McAnney; Vice-President; Karen Ramsey, Secretary; and Jan Hayes, Treasurer. The Hill District representative is Johnetta Webb. (Council District No. 6)

Also,

No. 2664 Resolution authorizing the URA of Pgh. to acquire properties in the City of Pittsburgh under the Residential Land Reserve Fund, for the Fair Market Value, said properties having been certified as blighted by the Vacant Property Review Committee and the Planning Commission of the City of Pittsburgh. (Council Districts 2, 3 and 6)

Also,

No. 2665 Resolution approving execution of a Contract for Disposition by sale of Land by and between the URA of Pgh. and various redevelopers for the sale of properties in the City of Pittsburgh (SIDEYARDS). (Council Districts 2, 3 and 6)

Also,

No. 2666 Resolution authorizing the URA of Pgh. to condemn and acquire all of the

City's right, title and interest, if any, in and to publicly-owned property in the City of Pittsburgh for the Fair Market Value, under the Residential Land Reserve Fund, said property having been certified as blighted by the Vacant Property Review Committee and the Planning Commission of the City of Pittsburgh. (Council District No. 7)

Also,

No. 2667 Resolution approving execution of a Contract for Disposition by sale of Land by and between the URA of Pgh. and David Bartczak and Debra Bartczak for the sale of Block and Lot 26-C-19 at 3813 Melwood Avenue, for the sum of \$375.00, City of Pittsburgh. The purchaser is adjacent owner who intends to use this vacant lot as a sideyard. The property, which consists of approximately 2,725 square feet of land. (Council District No. 7)

Also,

No. 2668 Resolution authorizing the URA of Pgh. to condemn and acquire all of the City's right, title and interest, if any, in and to publicly-owned property, for the Fair Market Value, in the 12th Ward, Block and Lot 125-H-284A at N. Murtland Street, Owner - Three Taxing Bodies, in the City of Pittsburgh, under the Residential Land Reserve Fund, said property having been certified as blighted by the Vacant Property Review Committee and the Planning Commission of the City of Pittsburgh. The property, which is approximately 2,724 square feet of vacant land, is being acquired for resale to the adjacent owner, Shiloh Baptist Church, to provide access to their existing parking facilities. (Council District No. 9)

Also,

No. 2669 Resolution approving execution of a Contract for Disposition by sale of

Land by and between the URA of Pgh. and Shiloh Baptist Church for the sale of Block and Lot 125-H-284A at N. Murtland Street, 12th Ward, for the sum of \$500.00. The purchaser is the adjacent owner who intends to use this vacant land to provide access to their existing parking facilities. The property, which consists of approximately 2,724 square feet of land. This property has been certified as blighted by the vacant Property Review Committee and the Planning Commission of the City of Pittsburgh. The purchaser is a nonprofit organization whose mailing address is 6940 Frankstown Avenue, Pgh., PA 15208. The church officials include Rev. Hubert Hutcherson, Pastor; James W. Austin, Rose Marie Clark; Beatrice T. Johnson; and James G. Hayes. (Council District No. 9)

Also,

No. 2670 Resolution authorizing the URA of Pgh. to acquire that property in the 10th Ward of the City of Pittsburgh owned by Stanislaw Sydoryk, and designated as Block and Lot 50-R-7 (5201 Penn Avenue) in the Deed Registry Office of Allegheny County, for the Fair Market Value, under the Residential Land Reserve Fund, said property having been certified as blighted by the Vacant Property Review Committee and the Planning Commission of the City of Pittsburgh. This property is being acquired for resale to a nonprofit community organization, or AHI Development, for rehabilitation under the Authority's Housing Program. (Council District No. 7)

Also,

No. 2671 Resolution authorizing the URA of Pgh. to acquire all of the City's right, title and interest, if any, in and to the publicly-owned property in the 12th Ward of the City of Pittsburgh, designated in the Deed Registry Office of Allegheny County as Block 125-G Lot

13 (6722 Kelly Street), for the sum of \$1.00, under the Industrial Land Reserve Fund. This vacant lot is being acquired for conveyance to the adjacent owner for use as parking. The property contains approximately 3,375 square feet of land. (Council District No. 9)

Also,

No. 2672 Resolution approving execution of a Contract for Disposition by sale of Land by and between the URA of Pgh. and St. Francis Health Care Services for the sale of Block 125-G Lot 13 (6722 Kelly Street), for the sum of \$500.00, in the 12th Ward of the City of Pittsburgh. The redeveloper is a non-profit corporation with a mailing address at 4401 Penn Avenue, Pittsburgh, PA 15224. The Board of Directors include Harvey Sanford, Chairman; Sister Mary Daniel Ruffing, Assistance Secretary; and Melvin Levy, Treasurer. (Council District No. 9)

Also,

No. 2673 Resolution authorizing the URA of Pgh. to acquire all of the City's right, title and interest, if any, in and to the publicly-owned property in the 18th Ward of the City of Pittsburgh designated in the Deed Registry Office of Allegheny County, as Block 14-B Lot 323 (1128 Arlington Avenue), for the sum of \$1.00, under the Industrial Land Reserve Fund. This vacant lot contains approximately 1,684 square feet of land. The property is being acquired for conveyance to the owners of a nearby auto-repair shop for use as parking. (Council District No. 3)

Also,

No. 2674 Resolution authorizing the URA of Pgh. to acquire that property in the 18th Ward of the City of Pittsburgh owned by Clark Thomas Rigby and Ida M. Rigby, and designated

as Block 14B Lot 281 (840 Carnival Way), for the Fair Market Value, in the Deed Registry Office of Allegheny County, under the Industrial Land Reserve Fund, said property having been certified as blighted by the Vacant Property Review Committee and the Planning Commission of the City of Pittsburgh. This vacant contains approximately 1,139 square feet of land. The property is being acquired for conveyance to the owners of a nearby auto-repair shop for use as parking. (Council District No. 3)

Also,

No. 2675 Resolution approving execution of a Contract for Disposition of Land by and between the URA of Pgh. and Henry R. and Harriet A. Coennen for the sale of properties in the City of Pittsburgh. The properties are Block and Lot 14-B-281 (840 Carnival Way) for the sum of \$150.00 and Block and Lot 14-B-323 (1128 Arlington Avenue) for the sum of \$500.00, situated in the 18th Ward of the City of Pittsburgh. The redeveloper intends to use this vacant land for parking. The lots, contain a total of approximately 2,823 square feet and have a total purchase price of \$650.00. The redevelopers are individuals who own a small auto-repair shop near the site. Their mailing address is c/o Hank's Auto Service, 1122 Arlington Avenue, Pittsburgh, PA 15203. (Council District No. 3)

Which were severally read and referred to the Committee on Planning, Housing and Development.

Mr. Onorato presented

No. 2676 An Ordinance directing the Allegheny County Board of Elections to place before the qualified voters of the City of Pittsburgh a referendum question which would amend Section 305 of the Home Rule Charter - Organization of Council. —(SPONSORED BY

MR. ONORATO, MR. DARKINS, MR. COHEN, MR. O'CONNOR & MR. WAGNER)

Which was read and referred to the Committee on Finance.

Also,

No. 2677 Resolution providing for an Agreement or Agreements with the Center For Emergency Medicine of Western Pennsylvania (CEM) to provide medical direction services for a period of five years, for years 1993 through 1997, at a cost not to exceed \$43,000.00 annually subject to annual appropriation, chargeable to and payable from Code Account 1421, Bureau of Emergency Medical Services, Department of Public Safety.

Which was read and referred to the Committee on Public Safety.

Mr. Ricciardi presented

No. 2678 Resolution amending Section 2 of Resolution No. 995, passed in Council September 22, 1992, entitled, "A Resolution of Council to retain its own attorney" by increasing the total amount of funding from \$10,000.00 to \$11,000.00, chargeable to and payable from Code Account 1001-1, Misc. Services, Supplies, Equipment, etc., City Council (Index Code 100115).

—(SPONSORED BY MR. RICCIARDI)

Which was read and referred to the Committee on Finance.

Mr. Ricciardi moved to suspend Rule 8 by providing for consideration of all the bill only until or after the 8th calendar day following the meeting in which the bill was introduced so the bill will be on the agenda this Wednesday.

Mr. Darkins seconded the motion.

Which motion prevailed.

UNFINISHED BUSINESS

Mr. Ricciardi:

Mr. Wagner, as a courtesy to the Department of Engineering and Construction, I'd like to make a motion to untable bills 2499, 2502 and 2503.

Mr. Ferlo seconded the motion.

Which motion prevailed.

The Chair:

Mr. Perry, would you please read those bills?

Mr. Perry:

Bill No. 2499 A Resolution providing for a contract or use of existing contract for the reconstruction of Grant Street, Liberty Avenue, Phase III, providing for the reimbursement, agreement or agreements with the Commonwealth of Pennsylvania at a cost range of \$5,500,000 or more, but less than \$9,500,000.

Which was read.

Also,

Bill No. 2502 A Resolution further amending Resolution 1049, effective January 1, 1989, as amended, entitled, "Adopting and approving the 1989 Capital Budget and the 1989 Community Development Block Grant Program and approving the 1989 through 1994 Capital Improvement Program by amending the title and code account of Grant Liberty Phase III Project."

Which was read.

Also,

Bill No. 2503 A Resolution further amending Resolution 1415, effective January 1, 1991, as amended, entitled, "Adopting and approving the 1991 Capital Budget and the 1991 Community Development Block Grant Program, and approving the 1991 through 1996 Capital Improvement Program by amending the title of EC 91-389 Grant Liberty Phase III to read Trust Fund Transfers."

Which was read.

Mr. Ricciardi:

I would like to ask the City Clerk's Office if they could bring forward my discussion with Mr. Reginella I believe two weeks ago at our Committee Session pertaining to these three bills.

(REMARKS ON FOLLOWING PAGES)

(MR. RICCIARDI'S REMARKS ON BILLS NO. 2499, 2502 & 2503)
(Wednesday, May 12, 1993)

Mr. Ricciardi:

Thank you, Mr. Cohen. We have with us Assistant Director Fred Reginella and I believe Jane Downing has left Council Chambers.

I will be very short. I think it is important that this body continues to invest in the Downtown area, for obvious reasons. We have to make the City of Pittsburgh and especially our Downtown a very exciting place to live, and in order to do that, it is very important that we invest in our infrastructure and especially in the future of our merchants, because if the merchants are doing well, obviously that means additional revenues in the city coffers.

The question I had raised in the past, Mr. Cohen, was one of consistency and fairness. And since an article appeared in our local newspapers, the Pittsburgh Post Gazette, I have received several phone calls from merchants on Fifth Avenue and Forbes Avenue. There was an article -- and I will forward that to Pittsburgh City Council -- in 1990 where Mayor Masloff had a press conference where she said they were going to upgrade Fifth Avenue and Forbes Avenue and there was going to be merchant participation. So obviously, the merchants on Fifth Avenue and Forbes Avenue that contacted my office are a little distressed that when infrastructure improvements would occur on their corridors, that they were asked to participate in the program. However, in this program, merchants were not asked to participate. That is really at this stage not my bone of contention, because it is very difficult to ask merchants to participate in an expensive endeavor while the economy does not show for it.

While I think in the long run it would benefit us to continue our infrastructure improvements throughout the city including this area, the problem that I have with this bill and the reason I will probably be voting no on it on Tuesday is exactly the improvements in question. And the improvements that I have that I really believe that the City Council should talk about, it comes down to a very small issue, but one that it is very important in all our neighborhoods, because we have to recall that every dollar that is spent in one area is one less dollar that can be spent elsewhere. It goes back to the sidewalks, not the vaults themselves, because the vaults will be the responsibility of the merchants. But on one side of the street in order to upgrade the sidewalks, the Cultural Trust has made a commitment of \$75,000.00 to go from concrete to brick work, and I commend the Cultural Trust for their continued cooperation and partnership with this Council and this Administration. However, the other side of the street there are merchants, property owners that can definitely afford to upgrade their own sidewalks, we will be doing this with tax dollars. It

raises a very interesting point, because I think all of us in the City of Pittsburgh -- excuse me -- I think all of us in our own district can point to city retaining walls in our districts, city steps in our district that are in need of repair, city sidewalks that are in need of repair on Parks property, on the three taxing bodies. I think it is going to be very difficult for myself to approve upgrading sidewalks of property owners, their own personal lots, when in my district itself I can point to many city infrastructure facilities such as the steps, the retaining walls, even the streets themselves that need to be upgraded.

So again -- and I am not going to make this a demographic on this notion. I support the improvements, I support the amount of money we are going to spend, I think it is a good program. But it goes down to a very small component of the project itself, less than \$30,000.00, I believe, but \$30,000.00 that is going to be very important. And for that reason, I cannot support these bills. I believe that merchants should be upgrading their own sidewalks, that it is our responsibility to upgrade the infrastructure. And if I may also, colleagues and Mr. Cohen, we will provide, once we do the infrastructure repairs, the concrete sidewalks, we will put them in, and I agree with that part, because obviously the merchants are going to suffer to a certain degree of inconvenience and possibly loss of business, and obviously we are going to be doing such repairs on the vaults themselves and the curbing, that we could damage the sidewalks in question. But to upgrade a personal property from concrete to brick at a cost of tens of thousands of dollars I just don't feel comfortable with.

Again, please, colleagues, realize that I support this type of expenditure, I support improving the Downtown area, I support city infrastructure improvements, I even support replacing their own sidewalks with concrete, which again is an expenditure of tax dollars to support a private lot. But to upgrade their sidewalks to the degree that that is going to be less money in our own districts for city facilities, I cannot support these bills.

Mr. Cohen, as you know, I usually don't go off long. I thank you for your indulgence on that, but I think everyone understands my position here today.

(Deleted text.)

Mr. Ricciardi:

Yes. The numbers I had run, I believed anywhere from 29 to 36, and that is why I did admit to this Council it was a very small component.

But remember, the question really isn't dollars here, it is being fair and consistent. And it is very difficult for myself to go back to my district and say, "We have upgraded someone's sidewalk," when I have a retaining wall on Newton Street and

city steps on 30th Street that have not been repaired because of lack of city dollars. So that is where I am coming from on this note.

(END OF REMARKS.)

(Transcribed by Helen L. Kriebel, Stenotype Reporter)

Michelle Madoff:

Mr. President, when bills like this come out of nowhere so to speak, and we untangle them, or even when they come up and we have some preliminary discussion and it doesn't really call for having a post agenda which can now be televised, I think it's important that we pass some kind of motion or we do it by executive order of the President of Council, that we have explanations of the history of this issue.

I'm looking at that and saying the real gut is in here about how we missed out on buying a building and how it would have saved the City money and the money we've already spent that we went over budget. And I think we need a history probably not entirely from the Department that is asking for it but from the Committee or from Mike Perry who understands the history and can go back in the files as to what has happened.

There has been millions and millions and millions of dollars of taxpayers money that has been wasted, but nobody knows it comes up as three innocuous bills. Gee, we ought to get on with it. Who's going to vote against it? I'm certainly not.

But the history of what really happened that brought us to this point should be included and should go into the record.

The Chair:

Everyone is aware that we did not receive a sufficient number of votes on these three bills last week.

Mr. Ricciardi:

Just for the record, we did have extensive dialogue and conversation pertaining to these three bills two weeks ago in Committee. They

were up for final vote last week; however, several Councilmembers had previous engagements and were not in Council Chambers for the final vote.

So, as a courtesy to the Administration, obviously we have them back on the table today. They could pass, they probably will pass, and there is every opportunity for someone to vote no if they so choose.

The Chair:

Is there any further discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen
Mr. Darkins
Mr. O'Connor

Mr. Onorato
Mr. Wagner
(Pres't)

AYES 5

NOES 3

(MR. FERLO, MICHELLE MADOFF AND MR. RICCIARDI VOTING NO)

And a majority of the votes of Council being in the affirmative, the bills passed finally.

REPORTS OF COMMITTEES

Mr. Cohen presented

Bill No. 2679

Report of the Committee on Finance for May 19, 1993 transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 2561

A Resolution entitled, "Resolution providing for the issuance of a \$2,201.30 warrant in favor of Port Authority of Allegheny County for vehicle damage."

Which was read.

Also,

Bill No. 2562

A Resolution entitled, "Resolution providing for the issuance of a warrant in the sum of \$50,000.00 to Julianne Atkinson and Barbara Atkinson, her mother and guardian, c/o Andrew L. Horvath, Esquire, Berger Kapetan Meyers Rosen Louik & Raizman, P.C., Suite 200, The Frick Building, Pittsburgh, PA 15219-6003, in full and final settlement of the action filed at GD91-18544 alleging personal injury sustained due to a slip and fall at the Aqua Zoo on or about July 27, 1991."

Which was read.

Also,

Bill No. 2567

A Resolution entitled, "Resolution providing for the issuance of a warrant in favor of Anthony Aurretto, New Image Press, 4433 Howley Street, Pittsburgh, PA 15224, in the amount of \$261.77 in payment for letterhead and envelopes for Councilman Jim Ferlo."

---(SPONSORED BY MR. FERLO)

Which was read.

Also,

Bill No. 2573

A Resolution entitled, "Resolution authorizing issuance of a warrant in the amount of \$15,552.00 in favor of Ralph Eli Construction Company, R.R. 3, Box 296, Klinger Road, Canonsburg, PA 15317 in payment for contract for demolition and removal of a 4 story brick commercial & apartment building located at 844 East Ohio Street, Ward 23, without previous authority of law and providing for the payment thereof."

Which was read.

Also,

Bill No. 2574

A Resolution entitled, "Resolution providing for the issuance of a warrant in favor of James E. Rooney, 940 North Lincoln Avenue, Pittsburgh, PA 15233, in the amount of \$3,000.00 in payment for professional services rendered to City Council."

---(SPONSORED BY MR. WAGNER)

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen
Mr. Darkins

Mr. O'Connor
Mr. Onorato

Mr. Ferlo Mr. Ricciardi
Michelle Madoff Mr. Wagner
 (Pres't)

AYES 8 NOES none

And there being two-thirds of the votes of Council being in the affirmative, the bills passed finally.

Also,

Bill No. 2589

A Resolution entitled, "Resolution providing for the authorization to make all legitimate expenditures for transportation, supervisor/participant wages and fringe benefits and administrative expenditures necessary to implement the Safe Summer '93 and 1993 Pittsburgh Partnership/Summer Youth Employment Program thereof."

Which was read.

Mr. Cohen:

Bill 2589 really begins a whole series of bills on the Summer Employment Program. I'd like to say that this is a terrific program and one that will provide employment for youth in our City.

At the same time, we discussed last Wednesday the Administration's attempt to get foundation and private support for this program. Commitments were made at the table on Wednesday and I'd like to request Mr. Perry to send a letter to the Administration to ask that they give us an update on their efforts to get foundation and private support for this program so we can employ even more of our youth. And perhaps we could get a report from them within the next two weeks since we're already starting our summer session.

Michelle Madoff:

I, again, would like to point out to the public that it's this Council who really through our efforts and the leadership of Mr. Ferlo really brought this about and really made it a better program than it's ever been and I'd like that in the record.

Also,

Bill No. 2590

A Resolution entitled, "Resolution providing for an Agreement or Agreements with various agencies for the implementation of the 1993 Pittsburgh Partnership/Summer Youth Employment Program; and providing for periodic transfer of funds to reimburse agencies for legitimate expenditures incurred, and for the payment of costs thereof."

Which was read.

Also,

Bill No. 2591

A Resolution entitled, "Resolution providing for an Agreement with Joseph McCue and Joanne McCue, his wife, their heirs, executors, administrators and assigns, which grants a 3' easement for maintenance, ingress, egress and regress on and through property owned by the City of Pittsburgh upon certain terms and conditions."

Which was read.

The Chair:

Is there any further discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. O'Connor
Mr. Darkins	Mr. Onorato
Mr. Ferlo	Mr. Ricciardi
Michelle Madoff	Mr. Wagner
	(Pres't)

AYES 8

NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Mr. Darkins presented

Bill No. 2680

Report of the Committee on Public Works for May 19, 1993 transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 2563

A Resolution entitled, "Resolution granting unto The Carnegie Institute, 4400 Forbes Avenue, Pittsburgh, Pennsylvania 15213, their successors and assigns, the privilege and license to construct, maintain and use at their own cost and expense, a transformer vault in a portion of the sidewalk area of General Robinson Street in the 22nd Ward, 6th Council District of the City of Pittsburgh."

Which was read.

Also,

Bill No. 2564

A Resolution entitled, "Resolution amending Section 1 of Resolution No. 651, approved August 10, 1987, effective August 10, 1987, entitled: "Vacating Longmore Avenue between Fairacres Avenue and Colebrook Avenue in the 19th Ward of the City of Pittsburgh, excepting and reserving the 6 inch water line and the 12 inch sewer line located in Longmore Avenue."

Which was read.

Also,

Bill No. 2565

A Resolution entitled, "Resolution vacating Barkers Place between Penn Avenue and McCrea Way reserving the right of easement of a 12 inch water line and a 36 inch sewer line located therein in the 2nd Ward, 6th Council District of the City of Pittsburgh."

Which was read.

Also,

Bill No. 2566

A Resolution entitled, "Resolution vacating a portion of Carey Place from South Twenty-Seventh Street to 169.50 feet northwesterly to the already vacated portion of Carey Place reserving the right of easement of a 6 inch water line and a 12 inch sewer line located therein in the 16th Ward, 3rd Council District of the City of Pittsburgh."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. O'Connor
Mr. Darkins	Mr. Onorato
Mr. Ferlo	Mr. Ricciardi
Michelle Madoff	Mr. Wagner
	(Pres't)

AYES 8 NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Mr. Ferlo presented

Bill No. 2681

Report of the Committee on Planning, Housing and Development for May 19, 1993 transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 2568

A Resolution entitled, "Resolution approving a Conditional Use Application for the construction of an Emergency Medical Services station on Mossfield Street (Boulevard)."

—(SPONSORED BY MR. FERLO)
(AS AMENDED IN COMMITTEE)

Which was read.

Also,

Bill No. 2597

A Resolution entitled, "Resolution amending Resolution No. 1017, effective October 1, 1982, entitled 'Resolution providing for the letting of a contract or contracts or the use of existing constructs for the construction of a 10 inch curb along the North Side of Joncaire Street in Oakland, at a cost not to exceed \$25,000.00', so as to reduce the amount appropriated to \$8,741.79."

Which was read.

Also,

Bill No. 2598

A Resolution entitled, "Resolution further amending Resolution No. 812, approved August 19, 1980, effective August 25, 1980, as amended by Resolution No. 326, approved April 10, 1981, effective April 16, 1981, as amended by Resolution No. 491, effective May 11, 1981, entitled, 'Providing for an Agreement or Agreements with a Consultant or Consultants for Consultant Services in connection with the surveying of Boundary Street; and providing for the payment of the cost thereof, by reducing the funding sources.'"

Which was read.

Also,

Bill No. 2599

A Resolution entitled, "Resolution amending Resolution No. 699, effective August 14, 1984, entitled 'Resolution providing for an Agreement or Agreements with the Neighborhood Fund,

Inc., for administration of a program to provide financial aid and technical assistance to small community-based organizations', so as to reduce the amount appropriated."

Which was read.

Also,

Bill No. 2600

A Resolution entitled, "Resolution amending Resolution No. 565, effective July 5, 1988, entitled 'Resolution providing for an Agreement or Agreements with the Jewish Family and Children's Service Center to provide administrative support to the Agency (Caregiver's Program) in an amount not to exceed \$19,566.00,' so as to reduce the amount appropriated to \$19,516.00."

Which was read.

Also,

Bill No. 2601

A Resolution entitled, "Resolution amending Resolution No. 785, effective September 22, 1986, entitled 'Resolution providing for an Agreement or Agreements with Homewood-Brushton Citizens Renewal Council and the Urban Redevelopment Authority for the rehabilitation of a structure for use as a multi-purpose recreation center,' so as to reduce the amount appropriated from \$55,000.00 to \$54,087.68."

Which was read.

Also,

Bill No. 2602

A Resolution entitled, "Resolution amending

Resolution No. 375, effective May 5, 1986, entitled 'Resolution providing for an Agreement or Agreements with the University of Pittsburgh - Office of Urban & Community Affairs for the 'Development of an Informational Profile of the Black Community in Pittsburgh,' so as to reduce the amount appropriated to \$44,000.00."

Which was read.

Also,

Bill No. 2603

A Resolution entitled, "Resolution amending Resolution No. 190, effective March 14, 1986, 'Resolution providing for an Agreement or Agreements with a Consultant or Consultants to conduct an Aerial Tramway Feasibility Study at a cost not to exceed \$50,000.00', so as to reduce the amount appropriated to \$45,671.81."

Which was read.

Also,

Bill No. 2604

A Resolution entitled, "Resolution amending Resolution No. 290, effective April 7, 1989, entitled 'Resolution providing for an Agreement or Agreements with the Jewish Family and Children's Service Center (Small Chore and Shopping Program) to provide administrative support to the Agency in an amount not to exceed \$10,750.00', so as to reduce the amount appropriated to \$10,656.00."

Which was read.

Also,

Bill No. 2605

A Resolution entitled, "Resolution amending

Resolution No. 291, effective April 7, 1989, entitled 'Resolution providing for an Agreement or Agreements with the Jewish Family and Children's Service Center to provide administrative support to the Agency (Caregiver's Registry Program) in an amount not to exceed \$5,000.00,' so as to reduce the amount appropriated to \$4,965.00."

Which was read.

Also,

Bill No. 2606

A Resolution entitled, "Resolution amending Resolution No. 293, effective April 7, 1989, entitled 'Resolution providing for an Agreement or Agreements with the United Jewish Federation of Pittsburgh for administrative assistance in operating a Career Development Center for the unemployed, in an amount not to exceed \$40,000.00', so as to reduce the amount appropriated to \$37,694.00."

Which was read.

Also,

Bill No. 2607

A Resolution entitled, "Resolution amending Resolution No. 483, effective May 30, 1991, entitled 'Resolution providing for an Agreement or Agreements with Community College of Allegheny County for administrative assistance in operating their 'Employment Training Program for Special Need Adults' in an amount not to exceed \$8,500.00', so as to reduce the amount appropriated to \$3,917.92."

Which was read.

Also,

Bill No. 2608

A Resolution entitled, "Resolution amending Resolution No. 133, effective March 8, 1991, entitled 'Providing for an Agreement or Agreements with the Community Housing Resource Board to conduct a 'Study of Impediments to Fair Housing', at a cost not to exceed \$20,000.00', so as to reduce the amount appropriated to \$16,071.60."

Which was read.

Also,

Bill No. 2609

A Resolution entitled, "Resolution amending Resolution No. 704, effective July 16, 1990, entitled 'Resolution providing for an Agreement or Agreements with an agency or agencies to implement and coordinate the 'Pittsburgh Literacy Initiative' a pilot project aimed at promoting healthy parent/child relationships in low/moderate income families, at a cost not to exceed \$7,640.00', so as to reduce the amount appropriated to \$7,287.64."

Which was read.

Also,

Bill No. 2610

A Resolution entitled, "Resolution amending Resolution No. 719, effective July 16, 1990, entitled 'Resolution providing for an Agreement or Agreements with Community College of Allegheny County for administrative assistance in operating their 'Employment Training Program for Special Need Adults' in an amount not to exceed \$10,000.00', so as to reduce the amount appropriated to \$8,845.09."

Which was read.

Also,

Bill No. 2611

A Resolution entitled, "Resolution amending Resolution No. 712, effective July 16, 1990, entitled 'Resolution providing for an Agreement or Agreements with the Mt. Washington Children's Center for site improvement at their outdoor playground at a cost not to exceed \$5,000.00,' so as to reduce the amount appropriated to \$4,118.18."

Which was read.

Also,

Bill No. 2612

A Resolution entitled, "Resolution amending Resolution No. 474, effective May 7, 1992, entitled 'Resolution providing for an Agreement or Agreements with Community College of Allegheny County for administrative assistance in operating their 'Employment Training Program for Special Need Adults in an amount not to exceed \$6,900.00,' so as to reduce the amount appropriated to \$5,523.17."

Which was read.

Also,

Bill No. 2613

A Resolution entitled, "Resolution amending Resolution No. 635, approved July 10, 1985, as amended by Resolution No. 285 of 1987 and by Resolution No. 50 of 1989, Resolution Nos. 135 and 1181 of 1990, Resolution No. 1155 of 1991 and by Resolution No. 627 of 1992 entitled: 'Providing for the filing of a Community Development statement by City of Pittsburgh in connection with the 1985 Community

Development Block Grant Program,' so as to reprogram funds from City Council to the Department of Personnel and Civil Service."

Which was read.

Also,

Bill No. 2614

A Resolution entitled, "Resolution amending Resolution No. 143 effective February 1990 as amended by Resolution No. 677 of 1990 and by Resolution No. 719 of 1992 entitled 'Providing for the filing of a Community Development statement by the City of Pittsburgh with the U.S. Department of Housing and Urban Development for a grant in connection with the 1990 Community Development Block Grant Program,' so as to reduce line items in City Council and create a line item in the Department of Personnel and Civil Service."

Which was read.

Also,

Bill No. 2615

A Resolution entitled, "Resolution amending Resolution Nos. 507, 706, 956, 1148 and Resolution No. 1221 of 1991, Resolution Nos. 211, 524, 720 and 929 of 1992 entitled: 'Providing for the filing of a Community Development statement by the City of Pittsburgh with the U.S. Department of Housing and Urban Development for a grant in connection with the 1991 Community Development Block Grant Program,' so as to reduce line items in the Department of Engineering & Construction and City Council and create a line item in the Department of Personnel & Civil Service."

Which was read.

Also,

Bill No. 2616

A Resolution entitled, "Resolution amending Section 10 of Resolution No. 79, effective March 7, 1989, as amended by Resolution No. 776 of 1989; by Resolution No. 874 of 1990; by Resolution No. 1159 of 1991; and by Resolution No. 657 of 1992 entitled 'Providing for the filing of a Community Development statement by the City of Pittsburgh with the U.S. Department of Housing and Urban Development for a grant in connection with the 1989 Community Development Block Grant Program', so as to decrease line items in City Council, Department of Engineering & Construction, and the URA, and create a line item in the Department of Personnel & Civil Service."

Which was read.

Also,

Bill No. 2617

A Resolution entitled, "Resolution amending Resolution No. 448, effective June 16, 1988 as amended by Resolution No. 201 of 1991, entitled 'Resolution for the filing of a Community Development statement by the City of Pittsburgh with the U.S. Department of Housing and Urban Development for a grant in connection with the 1988 Community Development Block Grant Program', so as to reprogram funds from City Council, the Department Engineering & Construction, the Department of City Planning to the Department of Personnel & Civil Service."

Which was read.

Also,

Bill No. 2618

A Resolution entitled, "Resolution amending Section 10 of Resolution No. 1181 effective December 26, 1986, as amended by Resolution No. 198 effective March 13, 1987, Resolution No. 584, effective July 27, 1987, Resolution Nos. 758 and 1063 of 1987, Resolution No. 517 of 1988, Resolution No. 328 of 1989, Resolution Nos. 134 and 1183 of 1990, and by Resolution Nos. 202 and 1157 of 1991 entitled: 'Providing for the filing of a Community Development statement by the City of Pittsburgh with the Department of Housing and Urban Development for a grant in connection with the 1987 Community Development Block Grant Program', so as to reprogram funds from the Department of Engineering & Construction to the Department of Personnel & Civil Service."

Which was read.

Also,

Bill No. 2619

A Resolution entitled, "Resolution amending Section 10 of Resolution No. 234 of 1986 as amended by Resolution No. 1180 of 1986; by Resolution No. 43 of 1987, by Resolution No. 1009 of 1987, by Resolution No. 715 of 1989, by Resolution Nos. 133, 875, by Resolution No. 1182 of 1990 and by resolution NO. 1156 of 1991 entitled: 'Providing for the filing of a Community Development statement by the City of Pittsburgh with the Department of Housing and Urban Development for a grant in connection with the 1986 Community Development Block Grant Program', so as to reprogram funds in the Department of Engineering & Construction, the Department of Parks and Recreation, and City Council to the Department of Personnel & Civil Service."

Which was read.

Also,

Bill No. 2620

A Resolution entitled, "Resolution amending Section 10 of Resolution No. 301, effective April 24, 1984, as amended by Resolution No. 728, effective August 21, 1984, by Resolution No. 284, effective March 30, 1987, by Resolution No. 548 of 1989, by Resolution Nos. 136 and 1180 of 1990, and by Resolution Nos. 876 and 1149 of 1991 entitled: 'Providing for the filing of a Community Development statement by the City of Pittsburgh with the Department of Housing and Urban Development for a grant in connection with the 1984 Community Development Block Grant Program', so as to reprogram funds from City Council to the Department of Personnel & Civil Service."

Which was read.

Also,

Bill No. 2621

A Resolution entitled, "Resolution amending Resolution No. 330, effective April 3, 1992 as amended by Resolution No. 718, effective June 23, 1992, by resolution No. 770 effective July 10, 1992, by Resolution 928 effective September 18, 1992 and by Resolution No. 163 of 1993 entitled: 'Providing for the filing of a Community Development statement by the City of Pittsburgh with the U.S. Department of Housing & Urban Development for a grant in connection with the 1992 Community Development Block Grant Program,' so as to reduce a line item in City Council and add a line item in the Department of Personnel & Civil Service."

Which was read.

Also,

Bill No. 2622

A Resolution entitled, "Resolution amending Section 11 of Resolution No. 1228, effective December 31, 1979, as previously amended by Resolution Nos. 504, 635 and 1065 of 1980; and by resolution Nos. 316, 797, 1201 and 1419 of 1981; and by Resolution No. 416 of 1982; by Resolution Nos. 889 and 1134 of 1983; by resolution No. 150 of 1984; by resolution Nos. 101 and 201 of 1986; by resolution Nos. 711 and 825 of 1988 and by Resolution No. 139 of 1990 entitled: 'Providing for the filing of a Community Development statement by the City of Pittsburgh with the U.S. Department of Housing & Urban Development for a grant in connection with the 1980 Community Development Block Grant Program,' by decreasing a line item in the Department of City Planning and adding these reprogrammed funds to the Department of Personnel & Civil Service."

Which was read.

Also,

Bill No. 2623

A Resolution entitled, "Resolution amending Section 11 of Resolution No. 1549 of 1978, previously amended by Resolution Nos. 251, 317 and 649 of 1979, by Resolution Nos. 286 and 1192 of 1980, by Resolution NO. 1203 of 1981, by resolution Nos. 393 and 1013 of 1983, by resolution No. 100 of 1986, by Resolution No. 677 of 1987, by Resolution Nos. 140 and 1152 of 1990 and by Resolution No. 658 and 1992 entitled: 'Providing for the filing of a Community Development statement by the City of Pittsburgh with the U.S. Department of Housing & Urban Development for a grant in connection with the 1979 Community Development Block Grant Program,' so as to reduce a line item the Department of City Planning and create a line

item in the Department of Personnel & Civil Service."

Which was read.

Also,

Bill No. 2624

A Resolution entitled, "Resolution amending Resolution No. 421, effective May 18, 1989 entitled: 'Providing for the execution of a Cooperation Agreement or Agreements with the Urban Redevelopment Authority of Pittsburgh for the performance of certain work in connection with the 1989-1990 Community Development Block Grant Program, and providing for the payment of the costs thereof,' by decreasing a line item and the total amount to be transferred to the authority by \$190,000.00."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. O'Connor
Mr. Darkins	Mr. Onorato
Mr. Ferlo	Mr. Ricciardi
Michelle Madoff	Mr. Wagner
	(Pres't)

AYES 8

NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Mr. O'Connor presented

Bill No. 2682

Report of the Committee on General Services for May 19, 1993 transmitting two resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 2545

A Resolution entitled, "Resolution providing for a Contract or Contracts to purchase CAD System Software Upgrade (Version 2.0) for the Emergency Operations Center and providing for the payment thereof."

Which was read.

Also,

Bill No. 2546

A Resolution entitled, "Resolution providing for a Contract or Contracts to purchase a high speed printer for the Emergency Operations Center and providing for the payment thereof."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. O'Connor
Mr. Darkins	Mr. Onorato
Mr. Ferlo	Mr. Ricciardi
Michelle Madoff	Mr. Wagner
	(Pres't)

AYES 8 NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Mr. O'Connor presented

Bill No. 2683

Report of the Committee on Parks and Recreation for May 19, 1993 transmitting one resolution to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 2628

A Resolution entitled, "Resolution amending Resolution No. 561, effective July 17, 1989, entitled 'Resolution providing for an Agreement or Agreements, or use of existing Agreements with a Consultant or Consultants for Design Services in connection with the Magee Recreation Center Addition; and providing for the payment of the cost thereof,' so as to reduce the amount appropriated to \$42,625.00."

Which was read.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass

finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. O'Connor
Mr. Darkins	Mr. Onorato
Mr. Ferlo	Mr. Ricciardi
Michelle Madoff	Mr. Wagner
	(Pres't)

AYES 8 NOES none

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Mr. Onorato presented

Bill No. 2684

Report of the Committee on Public Safety for May 19, 1993 transmitting one resolution to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 2569

A Resolution entitled, "Resolution authorizing the Director of the Department of Public Safety and the City Solicitor to acquire the land necessary for construction of the Mossfield Street (Boulevard) EMS Station." ---**(SPONSORED BY MR. FERLO)**

Which was read.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. O'Connor
Mr. Darkins	Mr. Onorato
Mr. Ferlo	Mr. Ricciardi
Michelle Madoff	Mr. Wagner
	(Pres't)

AYES 8 NOES none

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Mr. Ricciardi presented

Bill No. 2685

Report of the Committee on Engineering and Construction for May 19, 1993 transmitting two resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 2633

A Resolution entitled, "Resolution further amending Resolution No. 365, effective April 28, 1989, as amended by Resolution No. 599, effective July 27, 1989, entitled 'Providing for a Contract or Contracts, or use of existing Contracts, and/or Agreement or Agreements, or use of existing Agreements, for the Design and Rehabilitation of Various Swimming Pools, including but not limited to Moore Pool; and providing for the payment of the cost thereof,' by

decreasing the total project allocation by \$130,869.68 from \$660,000.00 to \$529,130.32."

Which was read.

Also,

Bill No. 2634

A Resolution entitled, "Resolution further amending Resolution No. 823, effective October 28, 1988, as amended by Resolution No. 988, effective December 27, 1988, entitled 'Providing for a Contract or Contracts, or use of existing Contracts, and/or Agreement or Agreements, or use of existing Agreements, for Swimming Pool Renovations, including but not limited to Banksville, St. Clair, Fowler, Northgate and Riverview; and providing for the payment of the cost thereof,' by decreasing the total project allocation by \$5,897.22 from \$440,000.00 to \$434,120.78."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. O'Connor
Mr. Darkins	Mr. Onorato
Mr. Ferlo	Mr. Ricciardi
Michelle Madoff	Mr. Wagner
	(Pres't)

AYES 8 NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally. -

MOTIONS AND RESOLUTIONS

Michelle Madoff:

I have two items I'd like to put on the record. One of them is a very simple matter. My office, I used my charge card to okay a trip to Baltimore for seniors and the bill was paid twice, it went into the General Fund, and we have all the documentation. Mike will introduce a bill because I need to pay some of my own bills and I'd like to be reimbursed. It's about \$1,090.00. He has, as I said, the documentation and I've talked to my colleagues, but if I'm not here, if I'm on vacation, I just want everybody to know it's not a big secret.

Mr. Darkins:

I always admire you because you're the historian and the procedures of things that we do here in Council. And we don't want them to say that you're not doing it in the procedural manner.

Michelle Madoff:

Right. And that's why I'm telling everybody.

Next item. Yesterday my office received a phone call and I returned the call to someone. I think it's terribly important because, again, I may not be here tomorrow afternoon because I'm leaving for a weekend vacation and I may or may not be here for the meeting on the business of the pound and I need to tell Council or the world what is happening.

A young man listened to cable and heard about my concern about the pound, but basically about the charging of victims, those whose cars

have been stolen, more than the cost of the towing. And, you know, that bill is in the works and thank God Mr. Onorato is chairing a committee to try to resolve it in a very fair manner. But I want to give everybody an idea of what prompted me to do this. And this is so current that it might help.

A gentleman who prefers that his name not be used at the moment has already talked to one of our reporters, and I won't use his name, parked his car in East Liberty and the car was stolen. He was gone a very short time, came back and his car was gone. He called the police and reported it. They never called him back but the next day the car was found in an alley four blocks away because the people leaving their home couldn't get out of their garage because the car was blocking their garage. They called the police, the police called the gentleman and said, "I think we have your car. Was it stolen?" And he said yes.

Because it was parked blocking somebody's exit to their garage, the car got a ticket. So he has a bill now, the original bill for the towing was \$85 plus a \$35 ticket. He's unemployed at the moment. He was driving his sister's car and she is in a very low-income job. The bill at that point was \$120 in addition to having his car stolen. They broke his steering wheel, they broke into the glove compartment. The car is ten years old. He has insurance for other people but not on a car that age, and now he's totally without the ability to get anywhere.

He took a bus and went downtown to McGann and Chester because that's where the car indeed was kept, as all stolen cars are kept. When he said to them, "Do you have any idea what it would cost me to fix the steering wheel and the glove compartment?" they said, "Oh, we can do it right here. We have a body shop."

I think that is a conflict of interest and I

would hope that that would be part of the discussion on Wednesday. And I want people to understand that that is why I also have amended the bill, and I don't know what part of the Code but if you will look into it, Mr. Onorato, that says that no police officer, no tower, can not only on a stolen car but on a car that breaks down, recommend where a car should be taken.

As I stated the other day, we have a car dealership in the City that pays us half a million dollars in taxes and when his automobile make is incapacitated either the police or the towers have been known to say, "Oh, I know a place that will fix it cheaply for you." That may or may not be so but that is not our business. That is absolutely unethical and if I hear of anybody I will turn it over to our Ethics Committee. I want them to just Xerox the telephone book and say, "This is a list of people who are dealerships and here is a list of people that do autos. Where would you like me to take your car?"

Also, I just found out another thing that we must cover that I did not know. They also recommend where you should rent your car. And I heard from a woman last night that she had the same thing happen to her. They towed her car to a place nearby that could do the repairs, recommended by a police officer. It was incapacitated and it was taken to this place and she decided no, she would like it to go to her dealer. They were distressed beyond belief. Really angry that she was taking the car out, on top of which they were upset that she wasn't going to use the place where they told her to rent a

loaner.

In this case it was covered by the insurance company but that doesn't matter. This City and our employees should not be recommending where people should do business, not in this kind of a situation.

As I said, I may not be at that meeting tomorrow but I think I've voiced my concern. You know how I feel, I like to do things in public which is why my legislation but this Council, it took three years before most of you were here, to get it on cable gavel to gavel. And since this meeting is going to be a private meeting and people won't know what transpired, I hope that some of these issues will be addressed and I know that Mr. Cohen has probably the greatest interest in this bill because his area has the largest number of automobile thefts.

So I just wanted to pass that along for your consideration.

Mr. Cohen moved to approve the Minutes of Tuesday, January 26, 1993 and Tuesday, April 20, 1993.

Michelle Madoff seconded the motion.

Which motion prevailed.

And on the motion of **Michelle Madoff**

Council adjourned.

MUNICIPAL RECORD

Proceedings of the Council of the City of Pittsburgh

VOL. CXXVII

Tuesday, June 1, 1993

No. 22

Municipal Record

ONE-HUNDRED TWENTY-SEVENTH COUNCIL

JACK WAGNER President
MICHAEL PERRY City Clerk
LINDA M. JOHNSON-WASLER.... Asst. City Clerk

Pittsburgh, PA
Tuesday, June 1, 1993

PRESENT:

MR. COHEN	MR. ONORATO
MR. DARKINS	MR. RICCIARDI
MR. FERLO	MR. WAGNER
	(Pres't)

ABSENT:

MICHELLE MADOFF MR. O'CONNOR

The Meeting was opened by the recitation of the Pledge of Allegiance to the Flag of the United States of America, and a moment of silent prayer for peace throughout the world.

I pledge allegiance to the Flag of the United States of America and to the Republic for which it stands, one Nation, under God, indivisible, with liberty and justice for all.

PRESENTATIONS

Mr. Darkins presents

No. 2713 WHEREAS, founded in 1977, the American Association of Blacks in Energy is a nationally recognized energy policymaking organization; and

WHEREAS, among the Association concerns are industry exploration and pricing, the environment, congressional legislation, and the role of state and local governments to advance a positive environment for consumers and producers; and

WHEREAS, the American Association of Blacks in Energy publishes a monthly newsletter featuring current energy issues and analyses of government legislation. They host a national convention, conduct meetings and seminars, operate a job bank and speakers' bureau, award \$1,000.00 scholarship in science, mathematics and engineering to outstanding minority high school students, and sponsors Blacks in Energy Awareness Month throughout the year to inform students about careers available in the field of energy; and

WHEREAS, Duquesne Light Company and the Pittsburgh Chapter of the American Association of Blacks in Energy host a reception on June 4, 1993 at the Rivers Club to honor the contributions and resources that the National Board of Directors of American Association of Blacks in Energy have given to developing

energy decisions.

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh welcomes the National Board of Directors of the American Association of Blacks in Energy to the City of Pittsburgh and extends continued success in their endeavors to serve as a body dedicated to provide clear goals and effective political action; and

BE IT RESOLVED, that the Council of the City of Pittsburgh is mindful that AABE Board of Directors Chairman Erskine E. Cade, Regional Coordinator John M. Bush and Pittsburgh Charter President Edwards Stotts, Jr. leadership continues to move the Association to national prominence.

Mr. Darkins moved to adopt the resolution.

Mr. Ferlo seconded the motion.

Which motion prevailed.

Mr. Ferlo:

I'd like our friends from the Boys and Girls Club to come forward, Pressure Chemical, Larry Rosen, Melissa Title and her mom.

Mr. Ferlo presents

No. 2714 WHEREAS, since 1922 the Lawrenceville Boys and Girls Club has been helping disadvantaged children and teens to develop self-esteem, respect for others, competence and other positive qualities needed to become responsible citizens and leaders; and

WHEREAS, without financial assistance many of the members of the Lawrenceville Boys and Girls Club who have proven their desire to improve personally and contribute to the community would be unable to attend college;

and

WHEREAS, Pressure Chemical Company, which has been a strong member of the Lawrenceville business community has also made a commitment to helping the community in which it operates; and

WHEREAS, Pressure Chemical Company, in 1992 established the Lawrenceville Boys and Girls Club Scholarship Fund to provide scholarships for members of the Lawrenceville Boys and Girls Club who might not otherwise have the opportunity to attend college without assistance; and

WHEREAS, Pressure Chemical Company recently announced that Melissa A. Title is the first recipient of the Scholarship Award and that she will receive a scholarship in the amount of \$2,500 per year for four years to use for her educational expenses while attending Edinboro University to study nursing; and

WHEREAS, Melissa A. Title is an active member of the Boys and Girls Club and has already demonstrated a strong commitment to the Lawrenceville community by volunteering her time to the Lawrenceville Business Association.

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh hereby officially recognizes and commends the Lawrenceville Boys and Girls Club, Pressure Chemical Company and Melissa A. Title for their dedication and commitment to the Lawrenceville community.

Mr. Ferlo moved to adopt the resolution.

Mr. Darkins seconded the motion.

Which motion prevailed.

Mr. Ferlo:

Members of Council, I'm very honored to give this proclamation today and I'd like to introduce Melissa and maybe she'd like to say a few words. We have her mom here today. A very active guy to my left back there is Bob Poshel from the Boys and Girls Club. He's the Center Director and he works hard all year long on the Halloween Parade and 50 other events. And we also have Larry Rosen here today who is President of Pressure Chemical Company and I believe he is the individual who first came forward showing that kind of leadership and commitment to the Lawrenceville community by helping to envision this scholarship program.

As well, this past year, I was very pleased to see Council make a \$5,000 contribution to the Boys and Girls Club specifically to help seed the scholarship fund.

It's a great program. I'm sure Larry's leadership will be an inspiration to others within the Lawrenceville community.

At this time I thought maybe we could hear a few words from Melissa and say congratulations to her.

Melissa Title:

I would like to say thank you to the Boys and Girls Club and Mr. Rosen from Pressure Chemical for giving me this opportunity that will be well used.

I just wanted to say thank you. And this is my mother.

Speaker:

Thanks a lot, Bob. It's been a lot of fun coming to the club through the years. And Mr. Rosen, thank you very much. We really

appreciate it.

Mr. Rosen:

It has truly been my pleasure. The Boys and Girls Club and the dedicated people in Lawrenceville that are running the Boys and Girls Club, as well as Jim Ferlo who has been a very active member of the community and has done everything in his power to provide the kind of environment for business to grow. It makes it just a real pleasure to be able to do this. I know that Melissa is going to make us all very proud of her in the next four years and she's going to become a wonderful nurse. Congratulations.

Mr. Ferlo presents

No. 2715 WHEREAS, the Ursuline Center, Inc., located at 201 South Winebiddle Street in the City of Pittsburgh is an independent, not-for-profit human services organization which assists children, parents, the unemployed, homebound and incompetent elderly persons; and

WHEREAS, the Ursuline Center, Inc. has been incorporated in the Commonwealth of Pennsylvania since 1981, and has been granted exemption from Federal Income Tax under Section 501(c)(3) of the Internal Revenue Code; and

WHEREAS, the Ursuline Center, Inc. desires to operate certain small games of chance and/or conduct raffles to generate funds to finance its operations and further its purposes.

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and the Council of the City of Pittsburgh hereby recognize and declare the Ursuline Center, Inc. to be a civic and/or service organization within the context of the Pennsylvania Small Games of Chance Act, as amended.

Mr. Ferlo moved to adopt the resolution.

Mr. Cohen seconded the motion.

Which motion prevailed.

Mr. Onorato:

At this time I'd like to have the members from the Ukrainian community come forward, please. And as they're walking forward I'll try to pronounce these names as best I can.

Father George Appleyard, Michael Komichak, Michael Korchinski, Michael Timyak, Stephen Halushchak, John Smith, Charles Sachko, Ann Konetski, Bohdam Konetski.

Mr. Onorato presents

No. 2716 WHEREAS, this year marks the sixtieth anniversary of the man-made famine in Ukraine which resulted in the death of millions of Ukrainians; and

WHEREAS, in 1933 Joseph Stalin and the leadership of the Soviet Communist Party ordered grain and every other source of food requisitioned from the farmers in Ukraine causing the starvation of millions of men, women and children. This became known as the "Terror-Famine"; and

WHEREAS, Moscow feared the Ukrainians desire to be free and regarded the Ukrainian Nation as being hostile to their regime. In an attempt to crush the Ukrainian people, Stalin sealed the borders of Ukraine to prevent food being brought in from Russia; and

WHEREAS, Stalin's terror failed. His attempt to crush the Ukrainian nation was only temporary. In 1990, the Communist Soviet

Union itself disintegrated. In 1991 an independent, free and democratic Ukraine was reborn; and

WHEREAS, for Ukrainians, freedom and independence is as precious as life itself. Their destiny as a people is measured and guaranteed by the strength of their national sovereignty and independence; and

WHEREAS, to commemorate the Great Famine in Ukraine in 1933, the Ukrainian community in Pittsburgh will hold a memorial service in Heinz Chapel on the campus of the University of Pittsburgh on Sunday, June 6, at 3:00 p.m. Prior to the memorial service there will be a religious procession from the steps of Soldiers and Sailors Memorial Hall. This commemoration is being sponsored by the Ukrainian Nationality Room Committee, Michael Komichak, Chairman.

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh recognizes the commitment, strength, and love of freedom of the Ukrainian people and solemnly joins the people of the Ukrainian community in Pittsburgh in commemorating the sixtieth anniversary of the Great Famine; and

BE IT FURTHER RESOLVED, that the Council of the City of Pittsburgh proclaims Sunday, June 6, 1993 as a "Day of Sorrow" in commemorating the victims of the Great Famine.

Mr. Onorato moved to adopt the resolution.

Mr. Ricciardi seconded the motion.

Which motion prevailed.

Mr. Onorato:

At this point, would a spokesman come forward to say a few words?

Mr. Komichak:

As Chairman of the Ukrainian Nationality Room Committee and the Ukrainian Famine Committee of Pittsburgh, I wish to express to the Council of the City of Pittsburgh the deep appreciation of the Ukrainian American community in Pittsburgh for this recognition of the Day of Sorrow which we will observe this coming Sunday, as you heard, at Heinz Chapel.

We will proceed from Soldiers and Sailors Memorial Hall to Heinz Chapel. We'll be led by our Clergy and we will have a speaker from the University of Illinois, the former Staff Director of the U.S. Congress Congressional Committee who investigated the famine in Ukraine. We invite the Honorable Councilmen to join us if time permits.

Once again, thank you so much for recognizing the Day of Sorrow for the Ukrainian community in Pittsburgh.

Father Appleyard:

On the lighter side, I don't think that Dan really had trouble pronouncing my name. That was one in the group.

I want to add my voice to Mr. Komichak in thanking the Council and all the concerned citizens of this City for this proclamation that we may all become increasingly aware of what people have suffered, that it may prevent us from allowing such injustices to occur again, and to make us sensitive to the needs of those who need relief here and in other places.

So, to the Council and to the City, my personal gratitude. And on behalf of all of us, thank you.

Mr. Onorato:

Could we have the Boardmembers from the Children's Museum, Maggie Forbes, Jill Rangos and Jerry Voros come forward?

Colleagues, it gives me great pleasure to read this proclamation today. As Maggie Forbes never lets me forget, we have to remember the children. And it seems that a lot of times we have tight budgets and it's the children that get cut out of our budgets because they really don't have a political voice since they can't vote. So, it takes people like Maggie to keep the pressure on the politicians to make sure that we don't forget the children of this City.

Mr. Onorato presents

No. 2717 WHEREAS, on June 12, 1993, The Pittsburgh Children's Museum will celebrate its tenth birthday in which it has enriched the lives of nearly two million people, both as visitors to the Museum and through programs taken to the community; and

WHEREAS, the Pittsburgh Children's Museum was created to engage children -- with their families, schools and community groups -- in experiences which foster creativity, discovery and understanding; and

WHEREAS, the Museum's exhibits range from a fabulous two-story climbing sculpture, to one of the best puppet exhibits in the country, to Stufee, the Museum's eight-foot tall, blue-haired mascot, who turns inside out to teach children valuable health lessons; and

WHEREAS, the Pittsburgh Children's Museum engages visitors through interactive exhibits, participatory programming, workshops, artifacts, puppetry, theater, storytelling and art activities; and

WHEREAS, in so doing, the Museum encourages children to play actively and imaginatively; to interact socially or to explore privately; to question, to ponder, to wonder, to explain; to develop greater awareness of their bodies and senses, of themselves and others, and the world around them.

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh does hereby recognize and congratulate The Pittsburgh Children's Museum in celebrating its tenth birthday; and commends the Executive Director Maggie Forbes, Board of Directors, Members and Staff, for their hard work, support and dedication needed to successfully place children first; and

BE IT FURTHER RESOLVED, that the Council of the City of Pittsburgh does hereby declare Tuesday, June 12, 1993 as Pittsburgh Children's Museum Day in the City of Pittsburgh.

Mr. Onorato moved to adopt the resolution.

Mr. Ricciardi seconded the motion.

Which motion prevailed.

Mr. Onorato:

I'd like to ask the number one cheerleader and promoter of children in the City of Pittsburgh, Maggie Forbes, to say a few words.

Ms. Forbes:

Thanks very much. I see a microphone and I have to take a few moments to talk.

A few years ago I read something in the newspaper about Pittsburgh needing a more effective slogan. I think we were using "Pittsburgh - A City With A Smile On Its Face" and I'm not sure that that ever really caught on.

That article made an impression on me, not because I'm in the slogan business, I don't think slogans are all that important to the quality of life in the City, but I thought at the time and I still think now that how Pittsburgh sells itself to its residents even more than to tourists has to have something to do with children and families.

I bring this up because as Director of the Children's Museum I have given a great deal of thought as to how the Children's Museum sells itself. Despite serving well over a million visitors in the last ten years, it hasn't been an easy job.

First off, the Children's Museum is relatively new. Ten may be a milestone birthday, but I think we need a few more years under our belts before we can fully benefit from the sort of wonderful traditionalism that is Pittsburgh.

Pittsburgh parents tend to do with their children what their parents did with them. And when the first grandparent visits saying, "I brought your mother here when she was a little girl", then we'll become a real Pittsburgh institution. I look forward to the day, even though I think by that point I will have advanced to the grandparent stage myself.

I also think that the Children's Museum has a great deal in common with its young audience. A lot of people don't quite understand us, and a lot of people don't always take us seriously. For instance, some donors tell us that we're doing a marvelous job. For them, they say they have important things to fund. I answer that joy and laughter must be as much a part of a child's world as food, clothing, shelter and sense of security. At the Children's Museum, what we want for our children is added to the list of their most basic needs.

Some educators call the Children's Museum a play place and wonder how it fits in

the curriculum. I answered that we must recognize who children are and that they don't all learn at the same pace or in the same way. Children need to play. Children need to be challenged. Children need to feel good about themselves and what they do.

At the Children's Museum, children from Northview Heights do, as well as children from wealthy suburbs.

We need to work very hard and we need to work together to make sure that success is a part of all our children's curriculum.

Incidentally, for any hardliners in the group, former Superintendent of Schools, Richard Wallace, visited a year ago and said that the Children's Museum's great strength was in language arts, and that there was nothing more important for young children.

Some parents see Museum in our name and think we can't be any fun. I answered that, at its best, learning should always be fun and that being worthwhile shouldn't be boring.

At the Children's Museum we engage children in experiences which foster creativity, discovery and understanding. It just never occurred to us that children, or their parents and teachers, can't have a good time while being so engaged.

I came here today to thank City Council for acknowledging the role the Children's Museum plays in this community, and I do thank you. At some level, I think we are in the same business.

And I'll leave here today admitting that I haven't come any closer to finding a slogan that sums up the Children's Museum, let alone one that sums up the City, but I kind of like, "Pittsburgh - No Better Place To Raise A

Family", because when that's true, the rest will follow.

I think we really all have to make children our number one priority. Thank you.

The Chair:

Thank you very much. Great job.

Mr. Cohen presented

No. 2690 Resolution providing for the filing of a petition or petitions for the sale of certain property or properties, acquired at tax sales in accordance with Act No. 171 of 1984, "Second Class City Treasurer Sale and Collection Act", effective December 11, 1984.

Which was read and referred to the Committee on Finance.

Mr. Darkins presented

No. 2691 Resolution vacating a portion of Alsace Street from Hale Street to 72.67 feet southeasterly to the terminus of Alsace Street in the 13th Ward, 9th Council District of the City of Pittsburgh. The Department of Finance recommended a fee of \$1,500.00 by charged for the vacation.

Which was read and referred to the Committee on Public Works.

Mr. Ferlo presented

No. 2692 Resolution providing for the issuance of a warrant in favor of Craig Straw, 422 42nd Street rear, Pittsburgh, PA 15201, in the amount of \$1,386.00 in payment for office coverage, research on legislation and constituent services on behalf of Councilman Jim Ferlo for the months of May and June, 1993, chargeable to and payable from Code Account 1001-2,

Salaries, Wages and Services of Council, As Needed, (Index Code 100123), City Council, District No. 7.

---(SPONSORED BY MR. FERLO)

Which was read and referred to the Committee on Finance.

Also,

No. 2693 Resolution approving the Glenwood Project Area Redevelopment Proposal dated March, 1993, including the Redevelopment Area Plan, for redevelopment activities in a portion of Redevelopment Area No. 40, Greater Hazelwood, in the 15th Ward of the City of Pittsburgh. (Council District No. 5)

Also,

No. 2694 Resolution authorizing a Cooperation Agreement or Agreements with the URA of Pittsburgh implementing the Glenwood Project Area Redevelopment Proposal. (Council District No. 5)

Also,

No. 2695 Resolution providing for Pittsburgh City Council endorsement of the Housing Authority of the City of Pittsburgh's Allequippa Terrace Revitalization Plan application, to be funded by the U.S. Department of Housing and Urban Development under the Urban Revitalization Demonstration Program, and approval of the Authority's Plan for Implementation. The Mayor of the City of Pittsburgh has pledged the City's support by authorizing \$700,000.00 in CDBG funds and \$400,000.00 in local Capital funds to support this project if the application for funding is approved.

---(SPONSORED BY MR. FERLO)

Also,

No. 2696 Resolution approving the Redevelopment Proposal dated May, 1993, including the Redevelopment Area Plan, for Redevelopment Activities in a portion of Redevelopment Area No. 47, Strip District, in the 6th Ward of the City of Pittsburgh. (Council District No. 7)

Also,

No. 2697 Resolution authorizing a Cooperation Agreement or Agreements with the URA of Pittsburgh implementing the Strip District Redevelopment Area Proposal. (Council District No. 7)

Which were severally read and referred to the Committee on Planning, Housing and Development.

Mr. Ferlo moved to suspend Rule 8 by providing for consideration of all the bills only until or after the 8th calendar day following the meeting in which the bills were introduced so the bills will be on the agenda this Wednesday.

Mr. O'Connor seconded the motion.

Which motion prevailed.

Also,

No. 2698 Resolution approving a Conditional Use Exception under Section 993.01(a)(33) of the Pittsburgh Code, Title Nine, Zoning, Article V, Chapter 993, to Arch Court, Inc., for authorization to construct a four-story structure with thirty-nine (39) units of housing for the elderly and one for a resident manager at 1310 Arch Street, with parking to accommodate four (4) automobiles, on property zoned "R4" Multiple-Family Residence District, 22nd Ward. (Council District No. 6)

Also,

No. 2699 Resolution amending the Pittsburgh Code, Title Nine, Zoning, Article III, Chapter 921, Section 921.02, Zoning District Map No. 6, by changing from "M2" Limited Industrial District to "C3" Commercial District all that certain property bounded by: Pennsylvania Avenue, Brighton Place, the northerly boundary line of Lots Numbered 2 and 1 in the Pennsylvania-Brighton Plan of Lots as approved by the Planning Commission on April 13, 1993, and the "C3" Zoning District Boundary line located west of Brighton Road, 22nd Ward. (Council District No. (Council District No. 6)

Also,

No. 2700 Resolution authorizing the URA of Pgh. to pursue a Tax Increment Financing Proposal for the Pittsburgh Technology Center. (Council District No. 6)

Also,

No. 2701 Resolution approving execution of a Contract for Disposition of Land for the sale of Parcel 4 Subdistrict 1-West by and between the URA of Pgh. and Regional Industrial Development Corporation of Southwestern Pennsylvania, said parcel being located in the 4th Ward of the City of Pittsburgh in Redevelopment Area No. 50. The redeveloper plans to construct a headquarters and research and development center for use by Union Switch and Signal, Inc. on Parcel 4 Subdistrict 1-West. The facility will contain approximately 190,000 square feet of space. The estimated development cost is \$19 million. This parcel is located on Technology Drive and contains approximately 147,837 square feet. The purchase price is \$1,000,000.00. The redeveloper is a non-profit corporation organized under the laws of the Commonwealth of Pennsylvania with an office at 1220 Frick Building, Pittsburgh, PA 15219. The officers are Frank Brooks Robinson, President

and Mark Perrott, Secretary. (Council District No. 6)

Which were severally read and referred to the Committee on Planning, Housing and Development.

Mr. Ferlo for Michelle Madoff presented

No. 2702 Resolution providing for the issuance of a warrant in favor of Councilwoman Michelle Madoff in the amount of \$1,092.00 for reimbursement of VISA account for costs associated with overnight accommodations for the Senior Center Educational Tour held in Baltimore, Maryland, chargeable to and payable from Code Account 1001-1, Misc. Services, Supplies and Equipment, City Council, Index Code (100115). **---(SPONSORED BY MICHELLE MADOFF)**

Which was read and referred to the Committee on Finance.

Also,

No. 2703 Resolution authorizing the Mayor and the Director of the Department of Water to execute a deed of easement granting Riverside Associates, Inc. the right to construct, use, maintain and repair a storm water sewer on land occupied by the City's Water Treatment Plant.

Which was read and referred to the Committee on Water.

Mr. Onorato presented

No. 2704 Resolution providing for the transfer of \$300.00 from Code Account 1001-1, Misc. Services, Supplies and Equipment, City Council (Index Code 100115), to Code Account 1103, Misc. Services, Dept. of City Planning (Index Code 110304). **---(SPONSORED BY**

MR. ONORATO)

Which was read and referred to the Committee on Finance.

Also,

No. 2705 Resolution providing for a Contract or Contracts for professional services with Perry Central Neighborhood Council, for the benefit of the residents of the City of Pittsburgh, in the amount of \$300.00, chargeable to and payable from Code Account 1001-1, Misc. Services, Supplies, Equipment, etc., City Council, District No. 1. —(SPONSORED BY MR. ONORATO)

Which was read and referred to the Committee on Planning, Housing and Development.

Mr. Onorato moved to suspend Rule 8 by providing for consideration of all the bills only until or after the 8th calendar day following the meeting in which the bills were introduced so the bills will be on the agenda this Wednesday.

Mr. Darkins seconded the motion.

Which motion prevailed.

The Chair presented

No. 2706 Communication from Tom Flaherty, City Controller, submitting the Performance Audit of the City of Pittsburgh's Purchasing System focusing on the Purchasing Division dated May 1993.

Which was read, received and filed.

REPORTS OF COMMITTEE

Mr. Cohen presented

Bill No. 2707

Report of the Committee on Finance for May 26, 1993 transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 2592

A Resolution entitled, "Resolution providing for the issuance of a warrant in the amount of \$28,000.00 to Charles M. Miller and Patricia Miller, his wife, c/o Randy K. Hareza, Esquire, their attorney, Burns, White & Hickton, 2400 Fifth Avenue Place, 120 Fifth Avenue, Pittsburgh, PA 15222-3001, in full and final settlement of an alleged accident on Second Avenue on or about April 25, 1989, in the City of Pittsburgh."

Which was read.

Also,

Bill No. 2593

A Resolution entitled, "Resolution providing for the issuance of a \$1,055.87 warrant in favor of Edward T. Lederer in settlement of claim for automobile damage."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. Onorato
Mr. Darkins	Mr. Ricciardi
Mr. Ferlo	Mr. Wagner
	(Pres't)

AYES 6 NOES none

And there being two-thirds of the votes of Council being in the affirmative, the bills passed finally.

Also,

Bill No. 2594

A Resolution entitled, "Resolution carrying over balances or portions thereof remaining in certain Code Accounts for the year 1992 to the same or to other Code Accounts for the year 1993."

Which was read.

Also,

Bill No. 2596

A Resolution entitled, "Resolution Repealing Resolution No. 133, Item H, effective February 23, 1993, which authorized the sale of property in the 10th Ward, being a 2 story, brick dwelling, located at 5338 Brown Way, designated as Block 50 M, Lot 53B, to Garfield Jubilee Association, Inc., for the sum of \$4,000.00."

Which was read.

Mr. Ferlo:

I just want to remind the Treasurer and the

Administration that they did make a commitment at the table last week in relation to this one bill repealing s property sale on Brown Way. They made a commitment to expeditiously return to Garfield Jubilee the \$4,000 hand money. That group would like that money back as fast as possible so that they can make a direct purchase of this property to begin renovation work. So I hope that it will be done very quickly.

The Chair:

Is there any further discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. Onorato
Mr. Darkins	Mr. Ricciardi
Mr. Ferlo	Mr. Wagner
	(Pres't)

AYES 6 NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Also,

Bill No. 2629

A Resolution entitled, "Resolution authorizing the issuance of a warrant in favor of the ADVO Systems Inc. in the amount of Three Thousand One Hundred Six Dollars and Eleven Cents (\$3,106.11), in payment for advertising services provided to the Department of Parks and Recreation, furnished for the benefit of the City without previous authority of law; and providing

payment thereof."

Which was read.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. Onorato
Mr. Darkins	Mr. Ricciardi
Mr. Ferlo	Mr. Wagner
	(Pres't)

AYES 6 NOES none

And there being two-thirds of the votes of Council being in the affirmative, the bill passed finally.

Also,

Bill No. 2635

A Resolution entitled, "Resolution transferring the amount of \$500.00 from Code Account 1001-1 (100115), Miscellaneous Services, Supplies & Equipment, City Council to Code Account 1103 (110304), Miscellaneous Services, Department of City Planning."

---(SPONSORED BY MR. RICCIARDI)

Which was read.

Also,

Bill No. 2678

A Resolution entitled, "Resolution amending Section 2 of Resolution No. 995, passed in Council September 22, 1992, entitled, 'A Resolution of Council to retain its own attorney,' by increasing the total amount of funding from \$10,000.00 to \$11,000.00." ---(SPONSORED BY MR. RICCIARDI & MR. FERLO)

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. Onorato
Mr. Darkins	Mr. Ricciardi
Mr. Ferlo	Mr. Wagner
	(Pres't)

AYES 6 NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Mr. Darkins presented

Bill No. 2708

Report of the Committee on Public Works for May 26, 1993 transmitting one resolution to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 2494

A Resolution entitled, "Resolution granting unto the Apostolou Associates, 47 Bailey Avenue, Pittsburgh, PA 15211, their successors and assigns, the privilege and license to construct, maintain and use at their own cost and expenses, an existing parking pad on a portion of the right-of-way of Jennie Street in the 19th Ward, 2nd Council District of the City of Pittsburgh."

Which was read.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. Onorato
Mr. Darkins	Mr. Ricciardi
Mr. Ferlo	Mr. Wagner
	(Pres't)

AYES 6 NOES none

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Mr. Ferlo presented

Bill No. 2709

Report of the Committee on Planning, Housing and Development for May 26, 1993 transmitting one ordinance and sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 2251

An Ordinance entitled, "An Ordinance amending the Pittsburgh Code, Title Nine, Zoning, Article III, Chapter 921, Section 921.02, Zoning District Map Nos. 7 and 12, by changing from 'M3' Light Industrial District to 'RP' Residential Planned Unit Development District all that certain property bounded by: Wharton Street; South 18th Street; Fox Way; and South 17th Street; 17th Ward."

Which was read.

Mr. Ricciardi:

On Bill 2251, I'd like to thank my colleagues for their initial support during the Committee Session to change the zoning along Fox Way. This will allow the community to construct 26 houses and, let me say, colleagues, I believe it will be just as successful as the Breed Street Development. We already have a waiting list for those homes that consist of 30 names, a nice mix of South Pittsburgh residents, City residents, and also suburbanites who are willing and able and looking forward to moving into the City.

So, again, I just thank my colleagues for the initial support on the zoning change along Fox way.

Also,

Bill No. 2636

A Resolution entitled, "Resolution amending Resolution No. 287, approved March 30, 1992, entitled, 'Providing for an Agreement or

Agreements with various community organizations for operational/administrative expenses, maintenance, purchase of equipment; and/or minor rehabilitation of neighborhood facilities for the benefit of residents of the City of Pittsburgh, at a cost not to exceed \$119,580.00, chargeable to and payable from Code Account 1103 (110304) Miscellaneous Services, Department of City Planning,' by deleting Caliguiri Hall Food Bank, and adding Brashear Association (Henry Kaufmann Center) in the amount of \$1,000.00." ---**(SPONSORED BY MR. RICCIARDI)**

Which was read.

Also,

Bill No. 2637

A Resolution entitled, "Resolution amending Resolution No. 425, approved May 7, 1993, entitled, 'Resolution providing for an Agreement or Agreements with Caliguiri Hall Food Bank for operational/administrative expenses; maintenance; purchase of equipment; and/or minor rehabilitation of neighborhood facilities for the benefit of residents of the City of Pittsburgh, at a cost not to exceed \$1,000.00, chargeable to and payable from Code Account 1103 (110304) Miscellaneous Services, Department of City Planning,' by deleting Caliguiri Hall Food Bank and adding Prince of Peace Food Bank." ---**(SPONSORED BY MR. RICCIARDI)**

Which was read.

Also,

Bill No. 2638

A Resolution entitled, "Resolution providing for an Agreement or Agreements with the Beltzhoover Neighborhood Council Teenage

Awareness Program (TAP), for the furnishing of professional services for the benefit of the residents of the City of Pittsburgh. The total cost of the agreement shall not exceed \$500.00 and shall be chargeable to and payable from Code Account 1103 (110304), Miscellaneous Services, Department of City Planning." ---**(SPONSORED BY MR. RICCIARDI)**

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. Onorato
Mr. Darkins	Mr. Ricciardi
Mr. Ferlo	Mr. Wagner
	(Pres't)

AYES 6

NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Also,

Bill No. 2657

A Resolution entitled, "Resolution approving a Conditional Use Exception under Section 993.01(a)A(9) of the Pittsburgh Code, Title Nine, Zoning, Article V, Chapter 993, to Duquesne University for authorization to excavate 22,000 cubic yards and construct an athletic field and associated minor structures along Bluff Street, and to construct a 349-space parking deck on

existing parking lots adjacent to the Physical Plant on Forbes Avenue and Gibbon Street, on property zoned "I-C" Institutional-Civic District, 1st Ward."

Which was read.

Mr. Ferlo:

On Bill 2657, this is a conditional use for Duquesne University to construct both an athletic field as well as a 349 space parking deck. There was concern at the last meeting, rightfully so, that Councilman-elect Christopher Smith needed an opportunity to have some input on this.

I believe, based on the conversation that I had with Councilman-elect Christopher Smith this morning, that he indeed spent a lot of time with the University, met with them. I believe many of his concerns were satisfied. He has some significant concerns about the University, I believe, just in terms of their relationship and their need to improve their outreach with the community, and I would safely say that, given Chris' background in the community, a long-time community activist, I think things will change in the future.

And I would hope that the University will improve their outreach and increase their efforts to conduct outreach and planning, especially when there are major development activities, be they on the campus or affecting the adjoining community.

So, based on Chris' comments to me this morning, I feel confident that we should just move along on this, based on his concerns.

I just want to clarify my comments. I hear some rumblings to my right here. My comments and discussion this morning with Councilman-elect Smith, he conveyed to me, and I'm conveying to this Council as Chair of this

Committee, his desire to see the conditional use approved at this time for this project to move ahead.

Mr. Darkins:

On Bill 2657, I have not heard from Mr. Smith. And being that I have not heard from Mr. Smith, I cannot rightfully vote for this. I abstain and I'd like my comments brought forward.

Mr. Onorato:

I would like my comments brought forward on Bill 2657.

The Chair:

I would like my comments brought forward on Bill 2657.

(REMARKS ON FOLLOWING PAGES)

(MESSRS. DARKINS, ONORATO & WAGNER'S COMMENTS ON BILL NO. 2657)
(Wednesday, May 26, 1993)

Mr. Wagner:

Mr. Ferlo, I believe this is the Art Rooney Field that they are intending to construct?

Mr. Ferlo:

Yes.

Mr. Wagner:

There are, I am sure, no objections, to my knowledge?

Mr. Ferlo:

There were no objections at the Planning Commission. It is all within the Duquesne University property line.

Mr. Darkins:

Mr. Chairman, oftentimes we hold things here. I just was thinking in terms of the new Council person that is coming on in a few days. I think that he should have the privilege to kind of look at this, because this is his district, and I can well understand how this Council has been overseeing it, but in a few days he will be here. I know there is a motion on the floor, but I think it should be held for at least two weeks.

Mr. Ferlo:

Just in response, I know Chris Smith very well, I have worked with him in the past in the Controller's office. I consider him a friend. He is perfectly capable and he is certainly articulate enough to approach myself or any other Councilmember if there are any concerns between now and a final vote on Tuesday.

I would have to argue in all due respect not to hold this any further. They are attempting to bid this out, get the construction bid, get this project underway.

If there is some substantive issue, certainly Chris, I think, feels comfortable approaching Reverend Darkins, myself, Mr. Cohen, Mr. Onorato and everybody else around this table. But I would respectfully disagree with any attempt to hold up on this.

Mr. Wagner:

I would like to add, and I am sure Councilman Darkins is simply being respectful towards a future colleague, I would

agree with Councilman Ferlo; the right way to proceed is to move on this and if the future Councilman has any concerns, simply voice them to us.

This is a very important project for this University, and certainly a field designated and named after Art Rooney is a real testament who a person who was dedicated to the City of Pittsburgh.

Mr. Darkins:

I just wanted it to be part of the record, Mr. Chairman, because I just feel the new Council person coming in and that he can, he can approach us. But as President Wagner says, there is a thing called respect, and that is what I am coming down the street on; respect. I could care whoever's name would go on there, it could be Zoo Balloo, I am still talking about the man and this is his district. So he can let us know.

(Deleted text.)

Mr. Onorato:

Normally I would agree with both of you, Mr. Cohen, but I have to admit that I also talked with some of the Duquesne officials. They were asking if this thing could be moved along, because they do have some deadlines. With all due respect, if there is a problem with the new Councilmember, we can always recommit this on Tuesday. So I would like to see it move forward. We still have a seven day period to discuss any possible problem and we can always recommit on Tuesday.

(END OF REMARKS.)

(Transcribed by Helen L. Kriebel, Stenotype Reporter)

The Chair:

Is there any further discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. Ricciardi
Mr. Ferlo	Mr. Wagner
Mr. Onorato	(Pres't)

AYES 5 NOES none

(MR. DARKINS ABSTAINING)

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Mr. Onorato for Mr. O'Connor presented

Bill No. 2710

Report of the Committee on General Services for May 26, 1993 transmitting one resolution to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 2632

A Resolution entitled, "Resolution providing for a Contract or Contracts or the use of existing Contract or Contracts to purchase a Computer Local Area Network for the Emergency Operations Center and providing for payment thereof."

Which was read.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. Onorato
Mr. Darkins	Mr. Ricciardi
Mr. Ferlo	Mr. Wagner
	(Pres't)

AYES 6 NOES none

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Mr. Onorato for Mr. O'Connor presented

Bill No. 2711

Report of the Committee on Parks and Recreation for May 26, 1993 transmitting one resolution to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 2639

A Resolution entitled, "Resolution amending Resolution No. 592, approved May 7, 1993, entitled, 'Resolution providing for an Agreement or Agreements with the Boys and Girls Club of Western Pennsylvania (for Pittsburgh Summer Basketball League) for the furnishing of

professional services for the benefit of the residents of the City of Pittsburgh; and providing for the payment of the cost thereof not to exceed One Thousand Five Hundred (\$1,500.00) Dollars, chargeable to and payable from Code Account 1838 (183806) Miscellaneous Services, Recreation, in the Department of Parks and Recreation,' by deleting 'Boys and Girls Club of Western Pennsylvania'." ---**(SPONSORED BY MR. RICCIARDI)**

Which was read.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. Onorato
Mr. Darkins	Mr. Ricciardi
Mr. Ferlo	Mr. Wagner
	(Pres't)

AYES 6 NOES none

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Mr. Onorato presented

Bill No. 2712

Report of the Committee on Public Safety for May 26, 1993 transmitting two resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 2630

A Resolution entitled, "Resolution providing for an Agreement or Agreements with the Pennsylvania Chiefs of Police Association to purchase two live scan fingerprint units at a cost of \$8,750.00 per unit, for a total cost not to exceed \$17,500.00, and providing for the payment of the cost thereof."

Which was read.

Also,

Bill No. 2631

A Resolution entitled, "Resolution providing for an Agreement or Agreements with a certified bank to install and operate a MAC Debit Card Access System at the Auto Tow Pound."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. Onorato
Mr. Darkins	Mr. Ricciardi
Mr. Ferlo	Mr. Wagner
	(Pres't)

AYES 6 NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally. -

MOTIONS AND RESOLUTIONS

Mr. Ferlo:

Just a brief housekeeping matter. I believe Council, as part of the annual budget, provided small grants to roughly 50 or 60 organizations through Grants and Donations, this is the Operating Budget, one of which was the Pittsburgh Founders Celebration Council. My understanding is, for whatever reason, and I'm not sure what the reason is, the Administration has chosen not to execute that contract.

I respectfully would ask that we send a letter to the Administration and ask them for something in writing, specifically as to why they've chosen not to execute this grant. What was their reasoning? What's the reason behind their lack of executing this contract? And at that time take whatever appropriate action.

Mr. Ricciardi seconded the motion.

WHICH MOTION PREVAILED.

The Chair:

We have a post agenda immediately following that was initiated by Councilman Cohen pertaining to discussion on FCC regulations for cable TV. This will be the first post agenda that will be televised under the resolution that was passed, sponsored by Councilwoman Madoff several months ago. There was a memo we received by Brother Richard Emenecker indicating some of the items that were part of the resolution.

I simply want to state that it is my intent, and I believe the intent of the resolution in

Council, that anyone that requests a post agenda, chair the post agenda. So, Councilman Cohen would be chairing it.

Mr. Onorato:

Mr. President, real quick. Last week a lot of you might recall the problems that were taking place at Presley High Rise on the North Side. We were having robberies there, not even on a daily basis, but on an hourly basis. I was over there one day along with all the media and an hour after we left the scene there was another robbery. There were at least seven or eight throughout a seven day period.

I just want to thank the Housing Authority for responding promptly. They have already replaced the entire security system in the building and also are providing 24-hour coverage with Housing Authority Police and they're working with the Zone 1.

It should also be noted that because of this problem at Presley High Rise, the Housing Authority improved the security system, not just in Presley High Rise but four elderly highrises.

So, in a motion I would like to send a letter to the Housing Authority first thanking them for their action, but also if they could also send a follow up of the improvements just so we can keep track of it. It was definitely needed and they did respond and hopefully the problem is taken care of at this point.

Mr. Cohen moved to approve the Minutes of Tuesday, April 27, 1993.

Mr. Darkins seconded the motion.

Which motion prevailed.

Mr. Cohen moved to excuse Michelle Madoff and Mr. O'Connor for absence from this meeting.

Mr. Ferlo seconded the motion.

Which motion prevailed.

The Chair:

Could I have a motion to recess this meeting and meet again tomorrow, June 2, 1993 at 2:00 p.m. for the Swearing In Ceremony of Councilman Christopher Smith? That meeting will be televised live at that time and retelevised tomorrow evening.

Mr. Cohen:

So moved.

Mr. Ferlo seconded the motion.

And on the motion of Mr. Cohen

Council recessed.

Pittsburgh, PA
Wednesday, June 2, 1993

And the hour of 2:00 p.m. having arrived and the hour of recess having expired, Council reconvened.

The Chair:

Council's recessed Legislative Meeting is now called to order for the purpose of filling the vacancy of Council District 6 due to the death of our former colleague, Jake Milliones.

First, I would like to ask Councilmembers O'Connor and Onorato to escort Mayor Masloff into Council Chambers.

Welcome, Mayor.

Next, I would like to ask Councilmembers Darkins and Ferlo to please escort Christopher A. Smith into Council Chambers.

Welcome, Mr. Smith.

Next, I would like to ask everyone to please rise for the Pledge of Allegiance.

I pledge allegiance to the Flag of the United States of America and to the Republic for which it stands, one Nation, under God, indivisible, with liberty and justice for all.

The Chair:

It is now an honor to introduce the Reverend Thomas Smith of Monumental Baptist Church to deliver the Invocation.

Reverend Smith:

Let us pray. Everlasting God, our heavenly Father, we thank you for the blessings of this day.

We thank you for the privilege to pray in a country that still values recognition of your goodness and your mercy.

We pray at this time for our City, which is in need of peace and justice. We pray for this Council in need of courage and compassion.

We pray for this new Councilman who is about to accept his responsibility, that you would give him compassion and the spirit of cooperation.

We pray, heavenly Father, that you would help us all to be whom you have called us to be, that we might truly learn to live together as one in this wonderful country and this wonderful city that you have given us and so blessed us with.

These and all blessings, we thank in the blessed name of our Redeemer. Amen.

The Chair presents

Bill No. 2718

**COMMONWEALTH OF PENNSYLVANIA
COUNTY OF ALLEGHENY**

CERTIFICATE OF ELECTION

We, the undersigned, constituting the Return Board of the County of Allegheny do hereby certify that at the Special Election held on the 18th day of May, 1993 in said County

CHRISTOPHER A. SMITH

was duly elected to the office of

**Member of Council
(To Fill Unexpired Term)
City of Pittsburgh
Council District #6**

in the County of Allegheny,
Commonwealth of Pennsylvania.

Witness our hands and seal this
First day of June, 1993.

**Tom Foerster, Chairman
Pete Flaherty
Lawrence W. Dunn**

**Board of Elections
Ex Officio, The Return Board of
Allegheny County**

Mr. Ferlo:

I move that this is read, received and filed.

Mr. Onorato seconded the motion.

WHICH MOTION PREVAILED.

The Chair:

It has unanimous support, Mr. Smith.

The Chair now calls upon the following honorable members of the Judiciary, who will administer the Oath of Office to Christopher A. Smith. The Honorable Cheryl Allen Craig, Judge of the Court of Common Pleas; The Honorable Cynthia Baldwin, Judge of the Court of Common Pleas; The Honorable Warren Watson, Judge of the Court of Common Pleas.

Please come up to the podium and please welcome the three Judges.

I would now call upon Christopher A. Smith to please come forward to take the Oath of Office.

Mr. Smith:

I, do solemnly swear that I will support the Constitution of the United States, and of this Commonwealth and the Charter of this City, and that I will faithfully discharge the duties of this Office to the best of my ability.

The Chair:

Ladies and gentlemen, I now present to you the newly elected Councilmember from Council District 6 - Christopher A. Smith.

Mr. Smith:

Thank you, everyone. Just a few thank

you's here. First of all, I want to say thank you to the esteemed Judiciary present, the Clergy, the Mayor, and now my fellow elected officials. And especially those persons who placed their faith, efforts and loyal support to my candidacy that has led to this day.

First, a few personal thank you's. To my Campaign Chairperson, who in the early hours of every morning gave me the courage and the faith to continue. I wish to thank you, Mrs. Thelma Lovette.

To my Campaign Manager who argued with me constantly and kept me on the path to success, I wish to thank Mr. Willis Brooks.

I wish to thank the Committee and all the volunteers that tolerated my mood swings, opened, manned and supported the campaign headquarters.

A special thanks to Walt Anderson, Nora Rose Parker, Bill Walker and Fred Wilburn who never complained as I asked that one more task be done before the night could end.

— To the groups that phoned, to the groups that mailed, to the groups that lit dropped, and the groups that spread the word, I thank you.

And a special thanks to those who worked behind the scenes to make this day possible, and you know who you are.

I wish to thank the Democratic Committee Members that supported me steadfast.

I especially wish to thank four ex-Ward Chairs of the City of Pittsburgh that came out of political retirement to encourage and assist me. They are Joe Parker of the 21st Ward; Al Hunt of the 25th Ward; Rebecca Coger of the 25th Ward; and Thelma Novak of the 26th Ward.

I wish to thank those Ward Chairs presently sitting that continue to support me in the face of a split endorsement.

I wish to thank all the Clergy that welcomed with open arms the multitudes of politicians that used their churches as a forum.

I wish to thank the organizations that helped sponsor the open forums that provided our community with an opportunity to review all the candidates vying for the 6th Council District seat.

I wish to thank all those persons who opened their checkbooks without question to assist in this great undertaking. Their names are of public record.

A special thanks to two individuals. They have encouraged me in every endeavor I have pursued, supported me in every instance, picked me up when I fell, picked up pieces at times, dusted them off, and put me back in the race. Without their encouragement and their example, I would not be who I am today. Thank you to my parents, Hubert and Louise Smith.

I, of course, want to thank the voting public because they gave me a vote of confidence and a mandate with 80 percent of the votes cast.

I believe that insurmountable odds are a myth to discourage the hopeless, challenge the helpless, and deter the neglected.

I was told that I was not electable, but I'm here.

I was told that no one could win with their name appearing twice on the ballot, but I'm here.

I was told that without the establishment behind me I could not win, but I'm here.

I was told that my platform of bringing together the underclass and the ruling class would not be believed, but I'm here.

I was told that I could not bring change to the system, bring humanity to government, would not be able to redirect the services to the most needed, to radically change our government's role as an advocate of the helpless, the homeless and the hopeless, that I would not be able to change the status quo, that nothing ever changes in City Hall.

But, then again, I'm the man who believes that insurmountable odds are just a myth. But I'm here.

The Chair:

Welcome, Councilman Christopher A. Smith.

With the powers vested in me as City Council President, I am now appointing Christopher A. Smith as Chairman of the Committee of General Services.

Next, I would like to ask the Honorable Mayor Sophie Masloff to say a few words.

Mayor Masloff:

Jack allotted me 30 seconds and in that 30 seconds, Chris, I want to wish you luck. But, I want to warn you, you have a tough job, a real tough one ahead of you, but I have every confidence in you and I know you'll do a good job. We're proud to have you among us.

I will only be here myself for six months but in that six months I make you welcome and we're happy to have you.

Congratulations to you and, most of all, to your parents. I know how proud they must be of you today. Thank you.

The Chair:

Thank you, Mayor Masloff.

We are honored to have a number of distinguished elected officials with us today and I'd like to take a brief moment and recognize them.

First, City Controller, Tom Flaherty. No stranger to these Chambers, State Representative Bill Robinson. State Representative and Democratic Nominee for Mayor, Tom Murphy. The Coroner of Allegheny County, Dr. Joshua Perper. The Register of Wills of Allegheny County, Jay Costa. Last, but not least, District Justice Jake Williams.

Ladies and gentlemen, that concludes our ceremony. What we need formally to adjourn this meeting is a motion.

Mr. Ferlo:

So moved.

Mr. Smith seconded the motion.

And on the motion of **Mr. Ferlo**

Council adjourned.

MUNICIPAL RECORD

Proceedings of the Council of the City of Pittsburgh

VOL. CXXVII

Tuesday, June 8, 1993

No. 23

Municipal Record

ONE-HUNDRED TWENTY-SEVENTH COUNCIL

JACK WAGNER President
MICHAEL PERRY City Clerk
LINDA M. JOHNSON-WASLER.... Asst. City Clerk

Pittsburgh, PA
Tuesday, June 8, 1993

PRESENT:

MR. COHEN	MR. O'CONNOR
MR. DARKINS	MR. RICCIARDI
MR. FERLO	MR. SMITH
MICHELLE MADOFF	MR. WAGNER
	(Pres't)

ABSENT:

MR. ONORATO

The Meeting was opened by the recitation of the Pledge of Allegiance to the Flag of the United States of America, and a moment of silent prayer for peace throughout the world.

I pledge allegiance to the Flag of the United States of America and to the Republic for which it stands, one Nation, under God, indivisible, with liberty and justice for all.

PRESENTATIONS

Mr. Cohen:

Good morning everyone, members of council. This is actually a Resolution sponsored by myself and Councilman Ricciardi and if Bruce Brinza and Chris Smith come up here please, not the new Councilmember Chris Smith but another Chris Smith. Hopefully new Councilmember Chris Smith will have an opportunity to vote for this Resolution. I am carrying a blue whale with me this morning and I will explain why. I am very happy to read this Resolution.

Mr. Cohen presents

No. 2748 WHEREAS, The Whale's Tale is a private, non-profit youth and family counseling center, founded in 1970, that provides crisis intervention, counseling, emergency shelter and residential services for high risk youth and their families; and

WHEREAS, The Whale's Tale offers programs that deal effectively with alcohol and other drug problems, runaways, physically and sexually abused youth, neglected children, homelessness, behavioral problems and many other family crises; and

WHEREAS, the The Whale's Tale provides a range of out-client, emergency shelter, residential and independent living services for counseling, prevention, intervention and treatment on many levels to more than 44,000

youths and families in crisis annually throughout the City of Pittsburgh and the surrounding region; and

WHEREAS, The Great Whale Race, the launching of 20,000 sponsored blue whales in the Allegheny River in a river race (with 15 exciting prizes), will raise funds to continue The Whale's Tale emergency shelter and counseling services and will take place on Sunday, June 13th at 1:00 p.m. at Clemente Park; and

NOW, THEREFORE BE IT RESOLVED, that the Council of the City of Pittsburgh congratulates and commends The Whale's Tale for their dedicated work and supportive services to the youth and families in crises in the City of Pittsburgh; and

BE IT FURTHER RESOLVED, that the Council of the City of Pittsburgh declares Sunday, June 13, 1993, to be The Whale's Tale Day in the City of Pittsburgh.

Mr. Cohen moved to adopt the resolution.

Mr. Ferlo seconded the motion.

Which motion prevailed.

Mr. Cohen:

Thank you very much members. As I mentioned before this is co-sponsored by myself and Councilman Ricciardi and we're very proud to give this resolution to an organization that does such terrific services for the City of Pittsburgh and we're very lucky to have with us today, Chris Smith the Executive Director and also Bruce Brinza the Director of Development and Public Relations. Chris or Bruce why don't you come up here and say a few words about Whale's Tale and also about The Great Whale Race which is coming up this Sunday. And before you do, let

me officially present this to you and congratulate you for terrific work for the City of Pittsburgh. Congratulations.

Mr. Smith:

On behalf of the 33,000 youth and families that we served last year at The Whale's Tale, troubled youths, trouble families looking for difficulties and working out their problems. I want to thank you, City Council, Mr. President for your recognition for The Whale's Tale and family day on June 13 in our efforts to serve troubled youth and provide a safe place in our community to be a sign for kids and families that we are concerned about them, we care about them that there ought to be a place they know they can come for help when they need it. The recognition today greatly exemplifies that and emphasizes our consideration and concern. Thank you very much. We have for you, we have a little token of our appreciation that each of you must wear and must come to the race on Sunday. It is the T-Shirt that is going to be used by the volunteers and sponsored at the day on Sunday at Clemente Park at 1:00. We have this for you as a token of our appreciation and thanks. Thank you very much. As Dan said, this little whale, how this works by the way if you haven't seen this. This little whale is sponsored for \$5.00 ticket or donation. They're numbered. They're entered into the river in a controlled fashion. People wonder why they don't end up in Ohio. The reason they don't end up in Ohio is that there in a controlled fashion. You let them go. They race about a quarter mile. The first 15 whales over the finish line win significant prizes. This year a car, a trip to Bermuda for 3 nights and a number of other prizes that are donated. Thank you very much.

Mr. Cohen:

Councilman Ricciardi.

Mr. Ricciardi:

They're not going to end up in Ohio hopefully in the South Side. Let me just say I am very proud to stand here and tell you that The Whale's Tale runs a very a successful program in district 3, the district that I represent in our Allentown neighborhood. A few years ago The Whale's Tale came before the community with a program to help mothers with children 12 and under. They made a very positive force in our neighborhood. They demolished an abandoned school building which was a plight on the neighborhood. They also refurbished the Convent that was becoming a plight on the neighborhood. They constructed a facility, ones that we are very proud of including a parking lot. A parking lot that's being also utilized by the neighbors. They allowed neighbors to use their lot and they also allowed neighborhood children to use their tot lots. So not only have they been a very positive force in the Allentown neighborhood. One that open to the community but they really, really donated their time and energy and resources. Since Whale's Tale has been there, I've only received one complaint. The complaint was Gene the tot lot is just too small. We need it a little bit larger because we have a lot of kids playing in that area. But it shows you sometimes we're very scared of certain services and we really shouldn't be because The Whale's Tale, a lot of their clients are from my district. The program that they running in the Allentown neighborhood. We are very fortunate to have them there. They have been a very positive force. I really want to thank them and thank Mr. Cohen for allowing me to co-sponsor this resolution with him today. Thank you.

Mr. Wagner:

Thank you Councilmembers Cohen and Ricciardi. Next resolutions presented by Councilman Darkins.

Mr. Darkins:

We're going to do Peabody first. To our Mr. President and to my colleagues on Council today.

Mr. Darkins presents

No. 2749 WHEREAS, in 1970 the Peabody High School Boys Track Team won its first track championship; and

WHEREAS, on Saturday, May 15, 1993, The Peabody High School Boys Track Team became City Track Champions for the 23rd straight year by claiming victory over Alderdice, Brashear, Carrick, Langley, Oliver, Perry Schenley, South, and Westinghouse schools; and

WHEREAS, the Peabody High School Boys Track Team members are: Edward Blackman, Jr., Jadill Wade, Maurice Pannell, Edward Jones, Brendan Duckett, Garrick Clark, Andre Brown, Shariff Griffin, Stephen Millender, Anthony Alford, Marlon Carter, Greg Curtin, Robert Stewart, Clint Hsuser, Byron Morant, Brian Dallas, Jon Klimczyk, Dustin Payne, Lummba Green, Maisha Green and Maurice Williams.

NOW THEREFORE BE IT RESOLVE THAT THE COUNCIL OF THE CITY OF PITTSBURGH, congratulates The Peabody Boys Track Team for their championship season and holding attitudes that reflect self pride, determination, sportsmanship and a commitment to develop skills and talents; and

BE IT FURTHER RESOLVED that the Council of the City of Pittsburgh is mindful that Coach Jeff Abrams and Assistant Coach Rudy Senaca gave unselfishly to empower youth with positive choices and personal development.

Mr. Darkins moved to adopt the resolution.

Mr. Ricciardi seconded the motion.

Which motion prevailed.

Mr. Darkins:

Affixed to this resolution today is our President of Council's signature Jack Wagner. Attested to by the signature of Michael Perry. The presenter is Councilman Duane A. Darkins. I would like very much for the coach and the assistant coach to come and would like some words to say. Be it known to my colleagues on Council if you go to Westinghouse High School in the years of the early 50's Duane Darkins was a track star. I'm glad about that. But things have changed and times have changed and Duane Darkins is no longer at Westinghouse but as the elected official of the 9th Council District I am so proud of Peabody High School's track team.

Mr. Abrams:

First thing is I'd like to thank Mr. Darkins here, City Council, our Peabody Boy's track team back here. I'd like to thank the staff of Peabody High School, my assistant coach, who for if it wasn't for them I wouldn't be standing up here today. Thank you.

Mr. Seneca:

I'd just like to thank City Council, Jeff and all the boys without all their hard work we'd have never been able to do it. Thank you.

Mr. Darkins:

I want to point out something to my colleagues on Council to show you how time changes here, Mr. President. Darryl here who is the son of his father is Darryl Brown and I can almost say I knew him before he was born because in the neighborhood where we were

raised together some years ago where our first church was on Rowan Street the Brown family played a great important part. I just think at times you need to share from which you come and the people that has helped you be a success. We also have a resolution for each one your team players. Thank you so much.

Mr. Wagner:

Thank you all.

Mr. Darkins:

I would ask Mr. Jeannette Davis to come.

Mr. Wagner:

We're also honored to have the superintendent of Public Education here, Louise Brennan who will be up I think for another resolution.

Mr. Darkins:

Isn't that something. You never know. Mr. President and my colleagues on Council.

Mr. Darkins presents

No. 2750 WHEREAS, Jeannette Davis began her involvement in scouting more than twenty-five years ago in Berkley, California; and,

WHEREAS, Jeannette Davis has given of her time and her talents through the years to help youth and adults along the scouting trails; and,

WHEREAS, Jeannette Davis has participated with both the boy and girl scout organizations around the world to include: Hawaii and Okinawa, Japan; and,

WHEREAS, Jeannette Davis developed

a summer day camp program for Bethlem Temple Church in Pitsburgh and is a 15 year member of the Ebenezer Baptist Church. She has been a member of the church's radio gospel choir and is a supporter of the scholarship committee; and

WHEREAS, Jeannette Davis as Funeral Director/Supervisor of The Spriggs and Watson Funeral Home, started "Feed a Family Monthly" with her employees to provide food for a different needy family each month; and

WHEREAS, for these other reasons, the Greater Pittsburgh Council has conferred its highest honor, the Silver Beaver Award, to Mrs. Jeannette Davis for her outstanding work with youth both in and outside of the scouting community.

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh gives recognition to Jeannette Davis as a supporter of youth, church women and community service.

Mr. Darkins moved to adopt the resolution.

Mr. Ferlo seconded the motion.

Which motion prevailed.

Mr. Darkins:

Affixed to this resolution is our President's signature, Jack Wagner. Also the signature of our City Clerk, Michael Perry. Your presenter is Councilman Duane Darkins.

Ms. Davis:

I'd like to say thank you first of all to the President of the City Council, my presenter, Reverend Duane Darkins, whom I've known for many years when I came to this great City of

Pittsburgh. I will continue to help the youth because we're living in times where youth do need help. I'm asking that each of you try in some way to help. We also know we have alot of needy families out here. There's some families that don't want you to know that they need food on their tables because of their pride. But we've developed a way at Spriggs and Watson to get around that too. Shortly, I'll tell you how we do it. We just contact the church and ask the church you let us know, we don't want know the name, we just want to know how many in that family need that food. We at Spriggs and Watson go in our pockets. I do the shopping along with one of my co-workers, take the food to the church and all we want to know is that the family received the food because we don't want them to get the wrong idea being funeral directors you know how that goes. So I'd like to say once again thank you, thank you to the City Council of Pitsburgh.

Mr. Wagner:

Thank you. Thank you Councilman Darkins. Councilman Ferlo.

Mr. Ferlo:

I'd like a representative from the McCleary School to come forward. Also we are very pleased that Superintendent Louise Brennan is in the Chambers today too for this proclamation.

Mr. Ferlo presents

No. 2751 WHEREAS, McCleary Elementary School, located at 201 McCandless Avenue at holmes Street, in Lawrenceville, has re-opened as Pittsburgh's first restructured elementary school and adds another mark of distinction to the shcool's history; and,

WHEREAS, three years ago residents and parents initiated a petition and letter writing

campaign to urge the Board of Education to re-open the School and recognize the needs of a growing neighborhood population of younger parents with small children; and,

WHEREAS, McCleary Elementary School first opened in 1900 when Lawrenceville was home to a booming steel and manufacturing base and a growing population in need of school facilities; and,

WHEREAS, McCleary Elementary School once served as many as 453 students from grades K-8. The school also housed the first elementary traditional academy magnet, which opened in 1980 and closed in June, 1986; and,

WHEREAS, McCleary Elementary School is intended to be a center of service for the entire community as well as for its 270 students. A full range of adult services is planned, including adult literacy, continuing education, computer education classes, and health services; and,

WHEREAS, major innovations include; literature-based programs emphasizing reading and writing, expanded use of science and mathematics, incorporating the arts in every subject, an emphasis on computing and communication technology, developing library skills to support research and learning; and,

WHEREAS, on June 10, 1993, the Grand Re-Opening of McCleary Elementary School will be held from 1 p.m. to 6 p.m. A celebration of thins "THEN AND NOW" will be held at chaoal including "A TASTE OF THINS TO COME".

NOW, THEREFORE BE IT RESOLVED, that the Council of the City of Pittsburgh hereby declares June 10, 1993 as McCleary Elementary School Day in the City of Pittsburgh and encourages Pittsburgh residents to attend the Open House; and,

BE IT FURTHER RESOLVED, that the Council of the City of Pittsburgh extends our appreciation to School Board President Barbara Burns and her colleagues, Supt. Louise Brennan, PTO President Barbara Jaquay, Co-Principals Mary Ellen McBride and Theodora Wieckowski, parents, staff and students for their effort to make McCleary School on of the best schools in our great city.

Mr. Ferlo moved to adopt the resolution.

Mr. Cohen seconded the motion.

Which motion prevailed.

Mr. Ferlo:

Thank you very much. Ladies and gentleman, members of Council, we are very pleased today. We also have the Superintendent Louise Brennan, Superintendent of the Pittsburgh Public School system here today. Louise is no stranger to this battle around the re-opening of McCleary. I'd be privileged I guess you call it several years ago organizing residents we had a very large gathering which started out what was supposedly going to be about 20-25 parents visiting the closed school to try to agitate the board on its re-opening turned out to be about 200 parents and kids that I don't know where they appeared from out of nowhere just really demonstrates the fact that there is a very large growing population of Lawrenceville Community primarily made up of younger parents and small children. So the need was very glearing. I was very honored and pleased that Barbara Burns in particular took up the banner and another re-opening of a grade school in the North Side McCleary came to be re-opened under the leadership of the board and the staff of the School Board. We're also here today with Karen Fajerski who is a substitute, permanent substitute teacher, I guess that's a teacher at

McCleary School. We are very pleased that a Lawrenceville young woman here Tara Crooks is here today. She's a 5th grader she has a leadership position in the class and she's a student rep. and was very instrumental in putting together and helping to organize the open house. I would like each one of them to say a few words. Maybe we will let Kara go first.

Ms. Crooks:

It is with great pleasure that I stand before you today. I was fortunate enough to be able to participate in McCleary Elementary School's Pilot Program. After almost one year I have been exposed to a vast array of experience not usually offered to someone my age. Not only have I been involved in the planning and opening of an Italian Restaurant in our school I've been valuable inside to organizing the grand re-opening of McCleary Elementary School. In addition to our regular lessons we have applied them in every day experience. It is a great chance to deal with the adult community. The things I have learned this year have not been taught by textbooks. They have been taught by experience, research and projects. I am very proud to have placed this speech and hope to see you at the grand re-opening of McCleary School.

Mr. Ferlo:

Karen would you like to say a few words about the school's program and then we'll introduce Superintendent Brennan.

Ms. Fajerski:

First of all on behalf of the staff, students, the PTO and the communities of Lawrenceville and Garfield that our school services, I'd like to thank you for this honor. McCleary was originally opened in 1900 and as Mr. Ferlo said it was closed due to enrollment and we are packed. We have 270 students that we service and we

give them and array of experiences. Unlike traditional schools McCleary being restructured, we attempt education in a different way. We take education away from the textbooks away from the dittos and standardized testing and put education back into the hands of the students where it belongs. Our students like Tara Crooks and her classmates they work on projects that are meaningful to them. Like the Italian Restaurant. Instead of having a regular lunch room these children work months on end opening a restaurant they chose a name for it. Its the Royal Boot and they decorated it. Its painted in green and red. They did price comparison. We took them to local department stores to find the best price for table cloths and table decorations. They figured out the tax. A lot of learning comes from meaningful experiences. That's what we hope to do in restructured in school is to give students a love a learning. If you give them and instill in them a love of learning and working on things that are meaningful to them then we hope that this is going to benefit them in the long run. We truly at McCleary are a hands on school and that's the way that I chose the best way to describe it when I'm faced with opposition or questions about what we do or how we teach the children. Instead of giving them a workbook and asking them by Friday to please have the next ten pages completed and to be able to pass a test what we do is we make them prove what they learn. They work on projects in small groups and learn from each other. We make them find the answers to the questions that they want to know. Its not just a matter of studying for a test they have a deeper sense of learning then. Its very challanging teaching in a school like this. We put in very long hours and so do the students working these projects after school sometimes up until 9-10 o'clock at night. I think that in the long run Pitsburgh is going to benefit from schools like McCleary. I thank you for this and I hope that everyone will attend Thursday, June 10th. Our Ribbon Cutting is scheduled for 1:00. Thank you.

Ms. Brennan:

President Wagner, Councilman Ferlo, Councilman in attendance today, what more can I say after Tara and Karen's presentations. Let me thank you for the honor that has been bestowed upon McCleary Elementary School through Councilman's Ferlo's resolution which we have supported. I thank you on behalf of the members of the Pittsburgh Board of Public Education, President Barbara Burns, our Administrative teaching staff at the school, our students, parents and community served by McCleary School. We are extremely proud of the accomplishments in one short year at McCleary Elementary School. The success of that school has spread by word of mouth and we are attracting students to the school each and every day. In fact as Karen indicated we are beginning now to exceed the capacity of that building and we're going to have to find ways to address that but we will. Do come if you can to the open house it will be a grand and glorious celebration. What will have demonstrated at McCleary, is that we can give to the community. We can put into community hands and the parents hands of true community learning center. That school belongs to the parents in the community. You can go there morning, noon and night. The doors are open and you could see the many programs and services that the parents, community and students are enjoying. That's what school and schooling is all about. That's what I intend to do with each and everyone Pittsburgh Public School in our grand City. Thank you.

Mr. Wagner:

Thank you Superintendent. Thank you all.

Mr. O'Connor:

I just want to congratulate Councilman

Ferlo and all of you on, Louise I think you are doing an outstanding job. I just came from Frick School last week and there's so many outstanding things going on in your City Schools. There are so many good teachers and students. I'm glad to see some recognition coming your way and I hope it continues. I hope the media picks up on some of these things not only some of the negative things. When is Jim going to take us to the Italian Restaurant. When are we going to get something to eat. Sounds good.

Mr. Ferlo:

I have to get one last word in because Superintendent is here today in Council Chambers. As Louise has mentioned because of over crowding I believe there will be 65 too many young people for the kindergarten class next year. There's talk about relocating that younger group to another school outside of the neighborhood of Lawrenceville. I would hope that the School Board would consider either another demonimial on the lot recognizing that they already have 2 up there or taking over another church facility that will be vacant next year on Butler Street down by St. Aug's. There are a number of facilities and I hope we can work with the board on looking on some various options. Thank you.

Mr. Wagner:

Thank you. Councilman Ricciardi.

Mr. Ricciardi:

Thank you Mr. Wagner. I'd like to ask Reverend Cheetham and his friends Mr. Robert Conroy and Eileen Conroy if they could please come forward. Colleagues I'm very proud to give this resolution today to St. Regis Church for their many activities that they perform in the Oakland Area and not just one of spiritual but one of giving and many of times of talents.

Mr. Ricciardi presents

No. 2752 WHEREAS St. Regis Church started as a small group of parishoners celebrating mass in St. Paul's Chapel No. 2 as early as 1912; and,

WHEREAS, St. Paul's Cathedral Parish No. 2 was established as St. Regis Parish in 1953 in honor of Bishop Regis Cenevin who presided over the diocese in the early 1900's; and,

WHEREAS, through the efforts of Reverend Cornelius a. Kane and volunteer fundraisers more than 400 families and individuals contributed to the financial campaign which resulted in the present church building at 3235 Parkview Avenue; and,

WHEREAS, the new St. Regis Church building was begun in January, 1957 and completed in February, 1958 with the first services held on March 8, 1958; and,

WHEREAS, Reverend William J. Cheetham currently presides over St. Regis Church which, with a congregation of 1110 parishoners, provides masses every day, two CCD classes per week, an active youth group for teenagers, and parish activities for adults; and,

WHEREAS, St. Regis Church will celebrate its 40th anniversary with a mass of thanksgiving on Sunday, June 13, 1993, at 11:00 a.m.

NOW, THEREFORE, BE IT RESOLVED that the Council of the City of Pittsburgh hereby commends St. Regis Church on 40 years of service to the Oakland Community and the City of Pittsburgh and declares Sunday, June 13, 1993 "St. Regis Church Day" in the City of Pittsburgh.

Mr. Ricciardi moved to adopt the resolution.

Mr. Darkins seconded the motion.

Which motion prevailed.

Reverend Cheetham:

First we offer our gratitude and thanks unto Gene for presenting me and my parish with this plaque today. Also thank Chairman of Council, members of Council for taking time out and to do this. It means very much to me and means very much to some very good citizens of our wonderful City. This award in a way doesn't bring too much credit to me. I've been the pastor there only for two years out of these forty years. So the credit does go to someone else. However, I am a Pittsburgh man and a Pittsburgh priest. Coming in here today I was reminded of some twenty or thirty years ago when I was here and was alot younger and was with a group of younger people celebrating youth government day and trying to interest them in what you people do. I'm still to this day as everyday in our parish meetings we offer at least one prayer for our civic leaders. So I don't feel like a stranger here because we pray for you everyday and the work of all our civic leaders and knowing what responsibilities they have. Of course we in the church also have a great responsibility to the City. Right now if you know there is a reconstruction going on. One of the difficulties is that people are leaving the City. My whole ministries for over forty years has been lower Hill and the Ephiny at North Side at St. Cyril's in South Side at St. John's in Beechview and now in Oakland. I'm sure the little southern Oakland section is not known to many people. Its kind of off to itself. Some of friends that come to visit me and the first thing they say is as we drive in the Parkview Avenue or as we go over to that new homes area. They say this is a wonderful neighborhood and I believe that too. Not just because of those buildings but because of those people. We have

to do everything we can to revive for those people. The City has many wonderful things. They have the steel mills, the medical center in Oakland it has a University Center and all that is very, very important but without the people you don't have the City. So I pray every day that we can keep the people close to the City and influence their lives. And save this community not under my leadership but during those past years and influence of lives of so many people. That little community and that school and that parish that people like Eileen that most of you know. It is people like Judge Clark to mention a few, Dan Marino, Bruno Sanmartino a young lady that we have now Ms. Decarlo that is playwright that had her played produced in Sci-Fi just recently. So this going on that these people in these small communities are doing these things. As you saw from the children who were just here but we have to keep it happening in the City and not way out somewhere else. To me that is very important. So I promise you that we will do what we can to support what you people are doing. Realizing the problems that you have, think out knowing the problems that we have and trying to keep the church in the City and keep the people here and teach them the facts of life and the responsibility to one another. So we come in view as I accept this for my people and they will be very happy I'm sure we will appreciate it. May God bless you all.

Mr. Wagner:

Thank you father. Thank you very much. Thank you Councilman Ricciardi. Councilman Smith. Resolution to be presented?

Mr. Smith:

Thank you. The resolution is going to a lady who is too modest to appear here so I will read into the record.

Mr. Smith presents

No. 2753 WHEREAS, on Wednesday, June 9, 1993 the Schenley Heights Neighborhood Club will honor Mrs. Mattie Banks Hightower on the occasion of her 95th birthday, having been born June 15, 1898 in Newman, Georgia, the third of eight children to the reverend Walter and Mattie Banks; and,

WHEREAS, Mrs. Hightower attended Fort Valley Teacher's Training School, taught in the rural schools of Georgia, graduated from Hardy Bible School in 1966 and is Spellmen College's oldest living alumna; and,

WHEREAS, Mrs. Hightower joined Trinity AME Church in 1925, taught Sunday School for over thirty years, serving as Assistance Superintendent of the Sunday School for twenty of those years, and currently serves on the Fundraising Committee to provide transportation to the elderly, the poor and the disabled members of the church; and,

WHEREAS, Mrs. Hightower was inducted into the Hall of Fame of the Women's Missionary Society, 3rd Episcopal District of the AME Church for Outstanding Service, and was honored as Trinity AME Church's oldest active member; and,

WHEREAS, Mrs. Hightower has been a resident of Schenley Heights area for over a half a century and has been a member of the Schenley Heights Neighborhood Club for more than 35 years; and,

WHEREAS, Mrs. Hightower is still active at the age of 95. She travels extensively and walks a minimum of one mile a day, often refusing rides in order to continue her exercise regimen and claiming the old adage "If you don't use it you will certainly lost it."

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh does hereby congratulate Mrs. Hightower, who has lived her life to its fullest and in service to the community, on the celebration of her 95th Birthday.

Mr. Smith moved to adopt the resolution.

Mr. Darkins seconded the motion.

Which motion prevailed.

Mr. Smith:

Thank you. We will present this to her as a surprise, at least I hope it will be a surprise. She would not come down for an honor. She is a remarkable young lady that I remebered all of my life and some day I am going to get her down here for everyone to meet.

Mr. Wagner:

Thank you. Members of Council on behalf of Councilman Dan Onorato who could not be with us today. I'm honored to present a couple of resolutions and first I would like the Fineview Neighborhood Council, Fineview Citizens Council and The Youth Program to please step forward to receive this resolution. With us today are Kathy Hoffman and Julia Suber coordinators of the summer youth program and the five youths that are here are Keith Gonzales, Jackie Hoffman, Amy Schafer, Rachael Schafer and Jennifer Ryan. Come over alittle closer. I'm honored to present this resolution on behalf of Councilman Onorato.

Mr. Ricciardi for Mr. Onorato presents

No. 2754 WHEREAS, children in the Fineview neighborhood, in conjunction with the Fineview Citizens Council, formed the Youth Council in the dummer of 1992; and,

WHEREAS, a fire was deliberately set in the neighborhood park which destroyed a major piece of playgournd equipment valued at over \$10,000; and,

WHEREAS, in order to become more involved in their park the youth Council, in conjunction with the Fineview Citizens Council, officially adopted the park and agreed to the maintenance and general upkeep of the park. This consists of picking up litter, planting flowers, painting equipment and other tasks; and

WHEREAS, the youth decided that if they were more involved and set a good example for others that they would hopefully deter this type of destruction from happening again and they would attain their goal which is to get more children interested in the community and increase membership of the Youth Council; and,

WHEREAS, Youth Council Board Members Keith Gonzales 13, Jackie Hoffman 11, Jennifer Ryan 11, Amy Schafer 11, adn Rachael Schafer 11 were selected by neighborhood children; and,

WHEREAS, Kathy Hoffman, Coordinator of the Youth Council, helps the children carry out their responsibilities and assists them in achieveing their desire to have input in what happens in their neighborhood and park.

NOW THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh commends the Fineview Youth Council for acceptaint their civic responsibilites through the adoption of Fineview Park, and congratulates the Youth Council for its dedication and hard work in the upkeep and improvement of the Fineview neighborhood.

Mr. O'Connor move to adopt the resolution.

Mr. Ferlo seconded the motion.

Which motion prevailed.

Mr. Wagner:

Members of Council, ladies and gentleman I'm honored to present this resolution. I'm not sure who to give it to. Please take it for now. This is really a model program, a youth program adopting a parks similar to neighborhood organization that adopt a highway. They are really doing something special in Fineview. A great neighborhood, a fine neighborhood in the City of Pittsburgh and we would like to see more programs like this occur in other neighborhood throughout the City of Pittsburgh. Its really a model program. We're honored to have you here today and we'd like to ask Julia to please say a few words first and then we're going to ask Keith to say a few words on behalf of the young people.

Ms. Suber:

Thank you so very much for inviting us to find you Youth Program and Youth Council. We are so proud to be able to accept this award representing our neighborhood and representing our youths. But I just wanted to let you know alittle bit more about our youth here. This Council is indeed an asset to Fineview. These youths have taken upon themselves to want to be more active in their community to be better citizens. Because of that they have made our neighborhood a safer neighborhood for us that lives there. As the director of the Youth Program, our focus is youth. Our youth is our tomorrow they are our future. Without them we have no future. We must all remember that we must keep our focus on our youth. We must remember that when we give of ourselves from ourselves that we indeed can reach totality and the problems that we face today in the City of Pittsburgh

without hints can be resolved. But we as adults must get involved and give that which we have within to those who have without so that they too can become involved and be more participating citizens and we do thank you very much.

Mr. Gonzales:

Thank you. I would like to thank Mr. Wagner and the City Council and Julia Suber, Dolores Watsworth who couldn't be here today and Kathy Hoffman who helped us alot. Really this program started out by which you heard the park got burned and we all wanted to get involved. In the summer we have a couple of people that volunteered to come up in our neighborhood and who get the kids together and we play a bunch of games just to be together and do something instead of wasting your time on the corner or someathing getting into trouble. This Council we really wanted to do something about it. We cleaned up the park every Saturday to keep it clean so the kids can enjoy themselves up the park. Really I thought it was a big joke at the beginning and didn't think we were going to do nothing but now I'm pretty happy and satisfied that we are doing something in getting involved. Thank you.

Mr. Wagner:

On behalf of Councilman Onorato thank you for being here and keep up the good work. Our final resolution Members of Council is also another North Side group on behalf of Councilman Onorato. I'm honored to present this resolution. I'd like to ask Ed Evans who is no stranger to this Council to please step forward along with John Fredley who is the President of the North Side Veteran's Council and Ed is the former President and I do believe is now the treasurer. Is that correct Ed. We're honored to have them here. Today's resolution commmerates Flag Day and the Flag Day Parade that has gone on on the North Side for fifty-seven years. That's

a good number for the North Side, Heinz 57 Varieties.

Mr. Ricciardi for Mr. Onorato presents

No. 2755 WHEREAS, on June 14, 1777, John Adams introduced through Congress a resolution stating that the flag of the United States shall be thirteen stripes, red and white, alternating, with a union of thirteen white stars on a blue field; and,

WHEREAS, Flag Day was first observed in 1877 on its 100th anniversary and is only a legal holiday in Pennsylvania. It has since been known as "A time to honor America"; and,

WHEREAS, on Monday, June 14, 1993, The North Side Veterans Council will commemorate its Fifty-Seventh Annual Flag Day Celebration, marking the 216th anniversary of the adoption of the flag; and,

WHEREAS, the North Side Veterans Council, which was organized in 1937, has honored the flag of our country through patriotism respect and homage; and,

WHEREAS, the parade sponsored by the North Side Veterans Council is the only flag day ceremony throughout the City of Pittsburgh.

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh hereby recognizes and joins the North Side Veterans Council in honoring their fifty-seventh annual Flag Day celebration.

Mr. Ferlo moved to adopt the resolution.

Mr. O'Connor seconded the motion.

Which motion prevailed.

Mr. Wagner:

Several of us have marched in this parade annually it is on June 14. It is on the holiday day. I've been in it the last four or five years. Ed Evans has been in it I think every single year. Right Ed? For a long time. Ed is here annually in front of Council at budget time. We help this group out annually. We're honored to do that. It's a fine parade. I'd like to ask both Ed and John Fredley to say a few words. We're honored to present this resolution on behalf of Councilman Onorato.

Mr. Fredley:

On behalf of the Council, I'd like to say thank you to all the board members on the Council for their wonderful support in the past years. Also at this time I'd like to extend my invitation to all present to come celebrate with us for Flag Day, June the 14th. 7:00 p.m. the parade starts and I'd like to see everyone there. Thank you.

Mr. Evans:

Like Jack said, I've been here a lot of times. I remember when I wasn't welcome. That has been a long time ago too. The support you gave us has helped to make Flag Day and the parade and the ceremony, don't forget we have a ceremony after the parade. They're bringing a man in here from its high up in the ranks of the Veterans Of Foreign Wars. He's coming in. I've had to work with this man. He'll be the next commander of the Department of Pennsylvania. He's a very nice man. He was a flat foot. I think we both served in the same place maybe not at the same time down the Pacific. I've worked with him before and he's a very brilliant man. I want to thank you again and invite all you people to come to the Flag Day Parade in the North Side. We have a nice parade. It's short. Nice ceremony which is short. Like to see all of you there. Thank you.

Mr. Cohen presented

2719 Resolution authorizing the Director of the Department of General Services, in his capacity as the Superintendent of the Bureau of Cable Communications, to file documentation with the Federal Communications Commission and to take other action required to certify the City of Pittsburgh to regulate rates for cable television service, installation and equipment.
---(SPONSORED BY MR. COHEN)

Also,

No. 2720 Resolution authorizing the Director of the Dept. of General Services, in his capacity as the Superintendent of the Bureau of Cable Communications, to file a complaint with the Federal Communications challenging the reasonableness of the rates of TCI of Pennsylvania, Inc. for cable programming service and for installation and rental of equipment for said service.
---(SPONSORED BY MR. COHEN)

Which were read and referred to the Committee on General Services.

Mr. Cohen moved to suspend Rule 8 by providing for consideration of all the bills only until or after the 8th calendar day following the meeting in which the bills were introduced so the bills will be on the agenda this Wednesday.

Mr. Ferlo seconded the motion.

Which motion prevailed.

Also,

No. 2721 Resolution for a lease or leases of certain property on the sixth floor of 938 Penn Avenue from July 1, 1993 for a term of 24 months, at a rental of \$3,591.50 per month to

house classroom and office space for the Joint Jobs Initiative Single Point of Contact (SPOC) Program and the Job Training Partnership Act (JTPA) Program upon certain terms and conditions. Said lease or leases shall be effective July 1, 1993. The total rental for 24 months shall not exceed \$86,196.00, chargeable to and payable from the JTPA-1 Trust Fund.

Also,

No. 2722 Resolution authorizing the Mayor, the Director of Finance, and the Director of Parks and Recreation to grant a license or licenses to Three Rivers Charter Service to enter upon and use various docking or landing facilities along the Allegheny and Monongahela Rivers, for the limited purpose of access to, upon and from said land, as docking locations for water taxi services to be utilized for the benefit of the general public on a commercial basis over and through the rivers within the City limits. The license shall be in form approved by the City Solicitor and shall be in consideration of the payment of the annual license fee of \$5.00 per foot of vessel per location for the first year, \$10.00 per foot of vessel per location the second year, \$15.00 per foot of vessel per location the third year.

Also,

No. 2723 Resolution providing for conveyance by the City of Pittsburgh of certain property, under Act No. 171 of 1984, entitled, "Second Class City Treasurer Sale and Collection Act", effective December 11, 1984.

Which were severally read and referred to the Committee on Finance.

Mr. Darkins presented

No. 2724 Resolution further amending Res. No. 1296, eff. Jan. 1, 1992, entitled

"Resolution adopting and approving the 1992 Capital Budget and the 1992 CDBG Program; and approving the 1992 through 1997 Capital Improvement Program," by transferring Code Account 3-01-40-0142-92, Greenways, Index Code 875963 in the amount of \$50,000.00 from the Dept. of Finance to the Dept. of Public Works.

Also,

No. 2725 Resolution providing for a Contract or Contracts, or the use of existing Contracts for the repair, maintenance and beautification of Greenways at various locations within the City of Pittsburgh, at a cost not to exceed \$25,000.00, chargeable to and payable from Code Account 3-01-40-0142-93, Greenways.

Also,

No. 2726 Resolution providing for a Contract or Contracts, or the use of existing Contracts for the repair, maintenance and beautification of Greenways at various locations within the City of Pittsburgh, at a cost not to exceed \$50,000.00, chargeable to and payable from Code Account 3-01-40-0142-92, Greenways.

Also,

No. 2727 Resolution amending Res. No. 1322, eff. Dec. 28, 1992, entitled "Providing for an Agreement or Agreements, or the use of existing Agreements, for the furnishing of professional services for the benefit of the residents of the City of Pittsburgh effective January 1, 1993," by increasing the total allocation by \$60,000.00 from \$550,000.00 to \$610,000.00, chargeable to and payable from Code Account 1676, Misc. Services, Dept. of Public Works.

Also,

No. 2728 Resolution providing for an Agreement or Agreements, or the use of existing Agreements, for the furnishing of professional services for the administration and marketing City neighborhoods and lot clean up services in relation to educating the public on litter, effective January 1, 1993, at a cost not to exceed \$150,000.00, chargeable to and payable from Code Account 3-01-35---77-93-500-93-01, Neighborfair Pittsburgh, Inc., Department of Public Works.

Which were severally read and referred to the Committee on Public Works.

Mr. Ferlo presented

No. 2729 Resolution approving a Conditional Use Exception under Section 993.01(a)A(9) of the Pittsburgh Code, Title Nine, Zoning, Article V, Chapter 993, to Carnegie Mellon University for authorization to raze the 94,000 sq. ft. student activities building (Skibo Hall) and erect a 240,000 sq. ft. University Center to contain student activities spaces, a recreational athletic center, and a 450-seat auditorium to be located on the Carnegie Mellon University campus at 5000 Forbes Avenue on property zoned "I-C" Institutional-Civic District, 14th Ward. (Council District No. 8)

Also,

No. 2730 Resolution providing for the designation as a Historic District under Section 513 of Chapter 1007 of the Code of Ordinances that certain district known as the East Carson Street Historic District, located in the 16th and 17th Ward, City of Pittsburgh.

Which were read and referred to the Committee on Planning, Housing and Development.

Mr. O'Connor presented

No. 2731 Resolution transferring the amount of \$80,000.00 from Code Account 1803, Utilities, to Code Account PCTF, Phipps Conservatory Trust Fund in the Dept. of Parks and Recreation. This transfer is necessary to pay salaries and wages at Phipps Conservatory.

—(SPONSORED BY MR. O'CONNOR)

Which was read and referred to the Committee on Finance.

Mr. O'Connor moved to suspend Rule 8 by providing for consideration of all the bill only until or after the 8th calendar day following the meeting in which the bill was introduced so the bill will be on the agenda this Wednesday.

Mr. Darkins seconded the motion.

Which motion prevailed.

Mr. Ricciardi presented

No. 2732 Resolution providing for the issuance of a warrant in favor of Public Strategies, Inc., One Bigelow Square, Suite 616, Pittsburgh, PA 15219, in the amount of \$1,600.00 in payment for professional consulting rendered to Councilman Eugene Ricciardi for the month of June, 1993, chargeable to and payable from Code Account 1001-2, Salaries, Wages and Services of Council, As Needed, (Index Code 100123), City Council, District 3.

—(SPONSORED BY MR. RICCIARDI)

Which was read and referred to the Committee on Finance.

Also,

No. 2733 Resolution authorizing the URA of Pgh. to act as agent for the City of Pittsburgh to enter into Agreement of sale to

acquire title in fee simple to certain lot or piece of ground in the 1st Ward of the City of Pittsburgh for public use ancillary to the construction and use of the Public Safety Complex for Streets, Court House, Jail, etc. and authorizing payment therefore and other necessary or incidental expenses relating thereto.

Which was read and referred to the Committee on Planning, Housing and Development.

Also,

No. 2734 Resolution authorizing the City to enter into an Agreement or Agreements with the Port Authority of Allegheny County, Consolidated Rail Company, Equitable Gas Company, Dick Enterprises, Michael Baker, Jr., Inc. and A. J. Cindrich, Inc. to receive monies to administer and contract for necessary repairs to the Brereton Street Retaining Wall and to discharge such parties from liability for damages.

Also,

No. 2735 Resolution providing for an Agreement or Agreements, or use of existing Agreements, and/or a Contract or Contracts, or use of existing Contracts, for the Repairs to the Brereton Street Retaining Wall, at a cost not to exceed \$200,000.00 or more, but less than \$250,000.00, chargeable to and payable from the Brereton Street Trust Fund.

Also,

No. 2736 Resolution further amending Res. No. 1348, eff. Jan. 1, 1993, as amended, entitled "Adopting and Approving the 1993 Capital Budget and the 1993 CDBG Program; and approving the 1993 through 1998 Capital Improvement Program," by amending the title of EC93-505, City-County Building Renovations, to read "Trust Fund Transfer". This Resolution will authorize the transfer of the 1993 allocation

(\$200,000.00) to the City-County Building Trust Fund.

Also,

No. 2737 Resolution amending Res. No. 586, eff. June 18, 1991, entitled "Providing for a Contract or Contracts, or use of existing Contracts, and/or Agreement or Agreements, or use of existing Agreements, for Renovations within the City-County Building, including electrical service and switchgear; and providing for the payment of the cost thereof," by increasing the total project allocation by \$450,000.00 from \$300,000.00 to \$750,000.00, chargeable to and payable from the City-County Building Trust Fund.

Also,

No. 2738 Resolution further amending Res. No. 1296, eff. Jan. 1, 1992, as amended, entitled "Adopting and Approving the 1992 Capital Budget and the 1992 CDBG Program; and approving the 1992 through 1997 Capital Improvement Program," by amending the title of EC 92-505, City-County Building Renovations, to read "Trust Fund Transfer". This Resolution will transfer the 1992 allocation (\$250,000.00) to the City-County Building Trust Fund.

Also,

No. 2739 Resolution providing for a Cooperation Agreement or Agreements with Allegheny County to share equally in the costs of the Renovations and Maintenance to the City-County Building. The City's and County's equal shares of the funds will be deposited in the City-County Building Trust Fund.

Also,

No. 2740 Resolution providing for a Contract or Contracts, or use of existing

Contracts, for Planting and Tree Replacement in Various Business Districts throughout the City, at a cost range of \$25,000.00 or more, but less than \$50,000.00, chargeable to and payable from Code Account EC 93-261.

Also,

No. 2741 Resolution amending Res. No. 94, eff. Feb. 23, 1993, entitled "Providing for an Agreement or Agreements, or use of existing Agreements, and/or a Contract or Contracts, or use of existing Contracts, and providing for the purchase of equipment and materials in connection with the Rehabilitation of Existing Play Areas; and providing for the payment of the costs thereof," by increasing the total project allocation by \$100,000.00, from \$544,000.00 to \$644,000.00.

Which were severally read and referred to the Committee on Engineering and Construction.

The Chair presented

No. 2742 Communication from Ben Hayllar, Director, Department of Finance, submitting a report of securities pledged as collateral by City Depositories as of April 30, 1993.

Which was read, received and filed.

REPORTS OF COMMITTEES

Mr. Cohen presented

Bill No. 2743

Report of the Committee on Finance for June 2, 1993 transmitting one ordinance and sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 2595

A Resolution entitled, "Resolution authorizing the Director of Finance to sell shares of common stock, notes and/or bonds that the City has received to satisfy debts from various public companies and to deposit the proceeds into the General Fund." (AS AMENDED IN COMMITTEE)

Which was read.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. O'Connor
Mr. Darkins	Mr. Ricciardi
Mr. Ferlo	Mr. Smith
Michelle Madoff	Mr. Wagner
	(Pres't)

AYES 8 NOES none

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Also,

Bill No. 2650

A Resolution entitled, "Resolution providing for the issuance of a \$1,000.00 warrant in favor of Robert Murray in settlement of claim for

automobile damage."

Which was read.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. O'Connor
Mr. Darkins	Mr. Ricciardi
Mr. Ferlo	Mr. Smith
Michelle Madoff	Mr. Wagner
	(Pres't)

AYES 8 NOES none

And there being two-thirds of the votes of Council being in the affirmative, the bill passed finally.

Also,

Bill No. 2652

A Resolution entitled, "Resolution transferring the amount of Nine Thousand Eight Hundred Seventy One Dollars and Sixty Four Cents (\$9,871.64), from Code Account 1612-4, Salt, Index Code 161240 to Code Account LFT, Liquid Fuels Tax, Index Code 260406, both accounts within the Department of Public Works."

Which was read.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. O'Connor
Mr. Darkins	Mr. Ricciardi
Mr. Ferlo	Mr. Smith
Michelle Madoff	Mr. Wagner
	(Pres't)

AYES 8 NOES none

And there being a majority of the votes of Council being in the affirmative, the bill passed finally.

Also,

Bill No. 2676

An Ordinance entitled, "An Ordinance directing the Allegheny County Board of Elections to place before the qualified voters of the City of Pittsburgh a referendum question which would amend Section 305 of the Home Rule Charter - Organization of Council." ---(**SPONSORED BY MR. ONORATO, MR. DARKINS, MR. COHEN, MR. O'CONNOR & MR. WAGNER**)

Which was read.

Mr. Smith:

Motion to amend Bill No. 2676.

Mr. Perry:

Amendment reads as follows:
Amendment to section 305 Home Rule Charter. Council shall have the power to remove the President by a 2/3 majority vote in the event of misfeason, malfeason, or nonfeasons after due notice and an opportunity to be heard.

The Chair:

Clarification of the Amendment simply adding the words by a 2/3 majority vote. There is a motion by Councilman Smith.

Mr. Smith:

Motion to amend Bill No. 2676.

Mr. Ferlo second the motion.

The Chair:

Councilman Smith would you like the floor first since its your amendment.

Mr. Smith:

Well yes. I just feel that we need to be very careful on how we offer stability to our own inner-office working. I feel that this amendment will add that stability by requiring a 2/3 vote. We can all get angry at someone occassionally. We now have a misfeasance, malfeasance and nonfeasance as the criteria of removal. I just felt that we needed to place one more restraint so that we do not make Council a circus by removing people just because we don't agree with them on issues.

The Chair:

On the amendment. Councilwoman Madoff.

Michelle Madoff:

I want to talk on the bill itself. Do you wish for me to wait until this bill.

The Chair:

I would prefer that. Can we just deal with the amendment for now.

Is there any further discussion on the amendment?

And on the question, "Shall the amendment pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. Ricciardi
Mr. Darkins	Mr. Smith
Mr. Ferlo	Mr. Wagner
Mr. O'Connor	(Pres't)

AYES 7

NOES 1

(MICHELLE MADOFF VOTING NO)

And there being a majority of the votes of Council being in the affirmative, the amendment passed finally.

Michelle Madoff:

Same bill. I have a very short prepared statement. The question that comes up if anybody's been watching. What skills have any of our past presidents of Council had. If you look back on Mr. DePasquale, Mayor Masloff, Jeep DePasquale, Ben Woods, all the people who have served as president. Basically they read the bills and conduct the business of Council according to the Rules of Council and Robert's

Rules. Council President is elected by Council body. Not by the voters. It is our intention that represent the majority of Councilmember with the expectation. The person would represent the majority. That's the majority view. Then we have a right to remove anyone who does not live up to expectations. Again I remind the public that Council President is the chosen spokesperson of the majority of Councilmembers. That person is expected to communicate forcefully our position. Not just write another letter. The issue of the succession to the Mayor's seat was only one other reason that the majority acted to unseat President Wager. This in my opinion was the lesser of the reasons. My reasons were that the President did not stand up to the administration or call them to task for by passing Council on many vital issues which I repeatedly innummerated and I've attached some of them here. I caution Council against turning over Council's personal prerogative to the public by placing the issue on the ballot as a referendum question. One is only to observe that in the past few years since election by district no matter who chaired our meetings Council behaved with decorum and respect. Even if we changed forces or Council President, Chair persons weekly. It makes no never matter. I mean when somebody isn't her the pro tem takes over whom ever. You read the bills. That's basically what goes on. If you don't know what to do they say Mike am I handling this correctly. Therefore before we abdicate our right to run our own operation we need rethink the issue of a referendum to decide the length of term of a President of Council. The PG suggested today to void the automatic offensively from President of Council to Mayor in an emergency. And to make that issue a vote of all Councilmembers at the time of need. I believe this is more sensible or at the very least limit the President of Council to a one year term. Every year when we convene if your not happy with what is going on that person has represented that body, I won't be here and I'm just looking at it and sort of saying what is needed to protect the public interest. Hopefully, a

President of Council will be a spokesperson, a communicator with the Administration with Washington, with Harrisburg, with whomever and if you put this on a referendum question. I believe you've abdicated your prerogative. I urge you not to do that. I think you'll live to regret it.

The Chair:

Any other discussion on the issue.
Councilman Cohen.

Mr. Cohen:

Thank you Mr. President. I respect very much Michelle's statement. I happen to disagree with her respectfully. This is though a very, very, important issue. It involves the structure of City Council and the structure of City Government. I support this bill because I think that it will add to the stability and continuity of City Council so that we don't have a new President every week. I think that will allow us to conduct the business of City Council. The Post-Gazette's editorial this morning I think was a good one but at the same time I think it addresses a different issue. That is the issue that Michelle just raised about the succession issue. Whether the President of Council should succeed to the Mayor's seat in the event of a vacancy in the Mayor's Office. I see that as a different issue. It's on the same general subject but a different issue and this bill is by no means a complete solution to the problem. The problem that we've identified. I think it's the first step. It's a step that will add to the continuity of Council. As I mentioned last Wednesday the Speaker of the House at both the state and national levels and the majority leader of the Senate at both the state and national levels have this type of law where they cannot be removed just by a majority vote. I think that our bill here is in line with those laws at the state and national level. That doesn't necessarily make it right but it certainly shows a precedent and I think a good precedent. The second question though of

whether or not the President of Council should be the person that succeeds in the Mayor's seat I think is one that we all should discuss and perhaps have a separate commission on it as suggested last week. But that's a separate issue and I think we can take them separately. The last thing I wanted to say was I was rereading the opinion by Judge Wettock which was a very comprehensive opinion and it's hard to quibble with someone who has a thirty page opinion that discusses every aspect of the law. But the one that caught my eye was this sentence toward the end of the opinion. He said that since the Charter does not provide the clear answer to the question of whether Council President may be removed by Council without cause. Ordinarily I would decide this issue by choosing those established legal principles that produce the result that would best serve the interest of the residents of Pittsburgh. Then he goes on to say that in this case however I have to do what the law says. I respect that. But I think what Judge Wettock was doing was really throwing the ball into our court saying if you want to act in the best interest of the residents of Pittsburgh then pass a law to do that. I think that's what this law does.

Mr. Ferlo:

I think a higher authority than the judge or even The Home Rule Charter which was adopted in '75 is the Pennsylvania Constitution which is a lot older than any of these laws that only recently been enacted be it The Home Rule Charter or most acts of the Pennsylvania General Assembly of the State Legislator. That article explicitly states that the officers of a municipal legislative body such as this body or the School Board those officers shall serve at the pleasure of a majority of a working majority of legislative body. I don't want to recount history. I don't want to haggle over the past events of this past January regarding the motion originally to remove Mr. Wagner as Council President. No one becomes Council President only through politics that's

how someone becomes Council President. Any member of this legislative body is qualified and capable of being a Council President. Person in the sense of that position through politics, through relationships with the executive branch, through a working relationship with a majority of this legislative body either at the beginning of the term or during the term or towards the close of the term. I see nothing wrong. I think its incorrect that every other week somebody's going to be changing the Council President. I just don't see that happening. I think Mr. Wagner's often times have said to me privately and on this floor he's made mention that it really comes down to who has the five votes out here and quite frankly its very difficult to get five votes on this Council. Even the events of late will be a testament to that. Any controversial bill including a billboard before where lots other things that we've debated in these chambers over the years. Its difficult often times depending on the nature of the issue to get a working majority of five votes. I would prefer that it even under the amendment that I supported Mr. Smith's amendment that the amendment just be that if you remove the Council President I have no opposition to making it a higher means test of a 2/3 vote similar to overriding the Planning Commission or overriding the veto. I see inhearily nothing wrong with the majority of a legislative body at any given time deciding who is best representing the majority viewpoint in terms of the role of Council President. Its very difficult to get the five votes its not like history is going to be upset every other weekend. I just don't see that happening. I don't care if its Jim Ferlo as Council President, Jack Wagner as Council President or any other of my colleagues to the right and to the left.

Mr. Ricciardi:

Thank you Mr. Wagner. As I stated last week during the committee session I am not in opposition of the bill that which would place this question before the voters. I did state and I

believe correctly so and I do agree with Mr. Cohen that there are two issues before us. One is possibly the length of the Council Presidency but the other is the succession issue and that is with the new Administration what if the Mayor at that time would step down in his or her first week. Then will the Council President assume the four year term. Number one is that right and it is acceptable. That's the issue we have to address. I'm sure I'm not the only one who is considering legislation and drafting legislation however I was just disappointed that this bill did not move at the same time that a succession issue would move also. I'm voting in support of this today. This is no way I'm no way fearful of bringing this before the voters. However there is a succession issue that needs to be addressed either through legislation or through some sort of committee. It should move sometime this year. On that note I will vote for this legislation. I'm hoping that my colleagues are still open to the discussion of succession. Thank you.

Michelle Madoff:

I would like permission to address our legal department for definition of a term. I would like to know whether I'm correct in assuming that nonfeasance represents issues that this Council is very concerned about such as a recycling contract at 800% increase that never comes to this Council. The media isn't told, Council is not told, they by pass us and nothing is said by the person elected by us. Would that be construed as nonfeasance. My concern is the issue from my perspective was not the overriding issue of the succession to Mayor Masloff's seat should she step down. That was one of the reasons I came aboard. My major concerns in which I've given a copy to people previously that read about I don't want to go through the whole litany all over again but it was the issue of the President of Council not taking a strong voice representing the body, the majority that elected him. In the home, this may not be Mr. Wagner, obviously in

the coming year but you could have exactly the same situation. Do you want the right to be able to say that we elected you we Council chose you this is not a public choice. We now want someone else representing us and I agree with Mr. Ferlo it is going to happen every week. People are not always going to agree you can disagree without being disagreeable. But if you respect each other you don't single one person out and embarrass that person when everybody else is behaving in a manner far in excess of the person you are singling out. When all kinds of things go on in this body I want to know if that is called nonfeasance. If so what does one member do go to court and say we're having nonfeasance and get four votes it just doesn't happen. I suggest that before you turn this over and abdicate the fact that you are in control of who will be representing you and will be your voice and spokesperson. Its going to come back and haunt you. If you do it for a two year period. At the very least I would like to offer I realize I don't have a written amendment because as it stands I would not vote for it. But I would suggest you might want to amend it at another time to be a one year appointment. At least you're not saddle with someone for two years.

The Chair:

I would like to make a comment. You know being here for a little over nine years I've seen chaos in this Council. In the last three years I haven't seen chaos in the Council. That has to do with stability and some professional. I very much disagree with the earlier comments of Councilwoman Madoff and I would debate you anywhere at any time in regard to any issue facing City Government. My strong position that I have taken on a number of issues; creation of the Public Safety Department which I opposed and was a disaster. The elimination of fire squads which I opposed and was a disaster. The fact that the Administration has been slow on hiring police officers. I have opposed and a number of issues

even issues that you have brought up such as the bond issues and I can go on and on and on. That really isn't the issue here. The issue is not really republicans or democrats as the newspaper indicated this morning that are sitting on Council. The issue is not succession as everyone is saying is the issue. The issue is not politics. Its not really politics as to who is the Council President and how long that person is serving. Because if it is politics that's all the more reason to vote for the bill in front of us today. Could you imagine Mayor quitting or dying and an emergency meeting of Council occurring to create a new Council President within 24 hours so that person before the appointment of a new Mayor could become the Mayor rather than the Council President. If there needs to be a succession issue discussed that should be an issue that's discussed separately from the bill in front of us. Stability of the Council President is pure and simple and I'm not going to be here in 1994 is stability within this legislative body. Now if people want stability within this legislative body I would suggest they vote for this bill. If they don't want stability vote against it. That's my opinion.

Mr. Smith:

Mr. President would you indulge me for just a moment because I was not a City Councilman when this legislation hit the table. In it it says Council shall organize on the first Monday following each municipal election. Could I get a definition of municipal election because I thought they occurred annually.

The Chair:

It occurs every two years.

Mr. Smith:

Every two years. For our seat?

The Chair:

Well for any seat in City Government.

Mr. O'Connor:

I am supporting the bill. I definitely support Councilman's Smith bill. I think the idea of five of us putting in is good. The problem with five is that you can hold a person hostage for a vote which we say will never happen but I'm sure it could and the possibilities there. I certainly think the 2/3 majority for removal and a just cause and a President whomever she or he may be to be heard is right on the button. I congratulate him and I think its a good bill and I'd like to support it.

Michelle Madoff:

I think we need to clarify this, you're right Mr. President neither you or I will be back next year. So we do not have a personal interest in this. It is not a vested interest we have an interest in the well being of the community. I think we both are stating our case but it would be nicer if we could not use history as an example of why but unfortunately that doesn't work that way. The issue is very simply the public does not elect the President of Council. That person serves at the will of five members, the majority of this Council. For any number of reasons this Council may feel that that person is not spokesman and doesn't represent us. To change the issue and misrepresent the issue is a hoax. We have stability when Pro Tem President Duane Darkins has chaired the meeting. We have stability when Mr. Cohen chairs the meeting. We've had stability when any number of people have chaired meetings. I don't think that's the issue. The issue that we elect someone that represents our views and if that person doesn't represent our views our interest and is our spokesperson then that person should be changed as frequently as needed. It has nothing to do with how the meetings are conducted.

The Chair:

Councilwoman Madoff if I could just intervene. I am not here to represent your views. I am here to represent the people of Pittsburgh and if your views are not the same of mine. I am not going to represent them. Its that simple.

Mr. Ferlo:

Just one brief observation so that fifty years from now history can decide whether or not I was accurate but the issue that I raised before. A Council majority maintaining the Council majority to be President is pure and simple. I don't think there's left open to much legal interpretation as evidence by Judge Wetstock's opinion. It was a pure and simple matter, the issue of the majority. I really believe just looking at the wording and interpretation of the description of what malfeasance, what misfeasance and what nonfeasance are that if anything this to me is going to open up a significant future legal battles when and if the issue actually comes up. I see the issue actually going to court ultimately it would be something that would have to be figured out by some future Judge because I think its unclear. I didn't know what the three differences to be quite honest. I looked them up in the dictionary. Malfeasance is misconduct or wrong doing. Misfeasance, which I never actually knew what the term meant, means improper and unlawful execution of an act in itself is lawful and proper and nonfeasance is failure to perform an act that is either an official duty or a legal requirement. I would suggest that nonfeasance is going to be the one alot of people are going to argue about in the future in terms of whether or not the Council President did or did not necessarily carry out the will of the Council majority. I just respectfully disagree with this amendment.

Michelle Madoff:

I have one last comment please that is very important. It goes on the record for posterity. That is because this is a lame duck in a sense Administration this Council, we got until the end of the year. We do the best we can. We represent the public interest. The fact remains that we did win that law suit. Because it was not a referendum question. If it had not been the decision of this Council to let the present President continue he would not be here. We won the law suit. We have that right presently. We lose it if it goes to referendum question.

The Chair:

Let me clarify. I don't consider myself a lame duck. I'm going to be here representing the people of Pittsburgh whether I am the Council President or a Councilmember. I'm a Councilmember first. I am going to continue to represent the people of Pittsburgh for the last seven months.

Michelle Madoff:

That was not my point. My point was that where the issue stands now we can remove the President. We will not be able to do that-

The Chair:

If you so choose to do that go right ahead.

Is there any further discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen
Mr. Darkins
Mr. O'Connor

Mr. Ricciardi
Mr. Smith
Mr. Wagner
(Pres't)

AYES 6

NOES 2

(MR. FERLO AND MICHELLE MADOFF VOTING NO)

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Also,

Bill No. 2692

A Resolution entitled, "Resolution providing for the issuance of a warrant in favor of Craig Straw, 422 42nd Street rear, Pittsburgh, PA 15201, in the amount of \$1,386.00 in payment for office coverage, research on legislation and constituent services on behalf of Councilman Jim Ferlo for the months of May and June, 1993."
--(SPONSORED BY MR. FERLO)

Which was read.

The Chair:

there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen
Mr. Darkins
Mr. Ferlo

Mr. O'Connor
Mr. Ricciardi
Mr. Smith

Michelle Madoff

Mr. Wagner
(Pres't)

AYES 8

NOES none

And there being two-thirds of the votes of Council being in the affirmative, the bill passed finally.

Also,

Bill No. 2704

A Resolution entitled, "Resolution providing for the transfer of \$300.00 from Code Account 1001-1, Miscellaneous Services, Supplies and Equipment, City Council, District 1, (Index Code 100115), to Code Account 1103, Miscellaneous Services, Department of City Planning (Index Code 110304)." --(SPONSORED BY MR. ONORATO)

Which was read.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen
Mr. Darkins
Mr. Ferlo
Michelle Madoff

Mr. O'Connor
Mr. Ricciardi
Mr. Smith
Mr. Wagner
(Pres't)

AYES 8

NOES none

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Mr. Darkins presented

Bill No. 2744

Report of the Committee on Public Works for June 2, 1993 transmitting one resolution to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 2654

A Resolution entitled, "Resolution providing for a Contract or Contracts, or the use of existing Contracts for concrete pavement maintenance, rehabilitation and replacement throughout the City of Pittsburgh and other work incidental thereto and providing for the payment of the cost thereof."

Which was read.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen
Mr. Darkins
Mr. Ferlo
Michelle Madoff

Mr. O'Connor
Mr. Ricciardi
Mr. Smith
Mr. Wagner
(Pres't)

AYES 8

NOES none

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Mr. Ferlo presented

Bill No. 2745

Report of the Committee on Planning, Housing and Development for June 2, 1993 transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 2658

A Resolution entitled, "Resolution amending Resolution No. 453, effective May 7, 1992 entitled 'Resolution providing for an Agreement or Agreements with the Urban League of Pittsburgh for administrative assistance in operating the 'Housing Counseling Program' for low-moderate income families, at a cost not to exceed \$210,000.00', so as to increase the amount appropriated to \$420,000.00."

Which was read.

Also,

Bill No. 2695

A Resolution entitled, "Resolution providing for Pittsburgh City Council endorsement of the Housing Authority of the City of Pittsburgh's Allequippa Terrace Revitalization Plan application, to be funded by the U.S. Department of Housing and Urban Development under the Urban Revitalization Demonstration Program, and approval of the Authority's Plan for

Implementation."

---(SPONSORED BY MR. FERLO)

Which was read.

Also,

Bill No. 2705

A Resolution entitled, "Resolution providing for a Contract or Contracts for professional services with Perry Central Neighborhood Council, for the benefit of the residents of the City of Pittsburgh, in the amount of \$300.00, chargeable to and payable from Code Account 1103, Miscellaneous Services, Department of City Planning." ---(SPONSORED BY MR. ONORATO)

Which was read.

The Chair:

Is there any further discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen

Mr. Ferlo

Michelle Madoff

Mr. O'Connor

Mr. Ricciardi

Mr. Smithi

Mr. Wagner

(Pres't)

AYES 7

NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Mr. Smith presented

Bill No. 2746

Report of the Committee on General Services for June 2, 1993 transmitting one resolution to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 2655

A Resolution entitled, "Resolution providing for the letting of a Contract or Contracts, or the use of existing Contracts for the purchase of park landscaping equipment for the Department of Public Works, payable from Code Account 1708, Index Code 170803, Equipment, Department of Public Works and for payment thereof."

Which was read.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. Ricciardi
Mr. Ferlo	Mr. Smithi
Michelle Madoff	Mr. Wagner
Mr. O'Connor	(Pres't)

AYES 7 NOES none

And a majority of the votes of Council

being in the affirmative, the bill passed finally.

Mr. Onorato presented

Bill No. 2747

Report of the Committee on Public Safety for June 2, 1993 transmitting one resolution to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 2677

A Resolution entitled, "Resolution providing for an Agreement or Agreements with the Center For Emergency Medicine of Western Pennsylvania (CEM) to provide medical direction services for a period of five years, for years 1993 through 1997, at a cost not to exceed Forty-Three Thousand Dollars (\$43,000.00) annually, and providing for the payment of the cost thereof."

Which was read.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. Ricciardi
Mr. Ferlo	Mr. Smithi
Michelle Madoff	Mr. Wagner
Mr. O'Connor	(Pres't)

AYES 7

NOES none

And a majority of the votes of Council being in the affirmative, the bill passed finally.

MOTIONS AND RESOLUTIONS

Mr Cohen:

Thank you Mr. President. I have two issues that I want to bring up today, please. The first one is on Cable Regulation. I introduced two bills on Cable Regulation today. The first authorizes the superintendent of the Cable Bureau to file for certification with the FCC the Federal Communications Commissions so that this Council has the authority to regulate basic cable rates, installation rates and also equipment which includes the remote control device. The second piece authorizes the superintendent, Brother Richard Emenecker to file a complaint against TCI challenging the reasonableness of TCI's rates for expanded basic service. I want to thank my colleagues for waiving rule 8 on these bills and will we certainly discuss them tomorrow. But it's very important that we move quickly which is why I moved to waive rule 8 because the FCC freeze on cable rates expires on August the 3rd and by that time we have to do the following things. We have to pass these bills. We have to have Brother Richard submit the appropriate documents to the FCC both for certification and to complain against TCI's expanded basic rates. The FCC has to then certify the City of Pittsburgh. By the way they must do that within thirty days under the regulations. We as a City must notify TCI that their rates are going to be regulated by us. So all of that has to be done by August 3rd which is why we have to move quickly. I appreciated Council voting to waive rule 8 on that.

One part of this I think has been misunderstood a little bit and that is that even

though it is true that there is only six thousand subscribers that subscribe to basic cable service and ninety-six thousand who subscribe to expanded basic service. The City will have authority only over basic cable rates plus installation and equipment. Those people who have expanded basic service will still be affected by what we do. The reason is the people who have expanded basic ninety-six thousand subscribers pay basic rates and expanded basic rates. The basic rate is \$10.75 and the expanded basic rate is \$11.25 for a total of \$22.00. So what we do on Council will affect every single cable subscriber all 102 thousand subscribers and I think that that has not been picked up. There's been a misunderstanding that what we do will only affect six thousand subscribers. That is not true.

These rates have gone up dramatically since 1984 when congress took away the authority to regulate rates. Because they've gone up far far in excess of the inflation rate I think that we need to step in. There is no competition in this industry. We've discussed that many times before. If there were competition there would be natural rate regulation but since there isn't and because in my view TCI has taken advantage of the fact that it can raise rates. We have to step in and that's why I introduced these bills and we will discuss them tomorrow.

Michelle Madoff:

Councilman Cohen would you also take a look in you legislation at the provision for maintenance of the service. I live in an area where the cable goes out all the time. Frequently the person who is going to maintain the equipment or replace it doesn't live anywhere near the City and they come from timbuktu. They don't even report it until the "x" number of calls. Its to an answering service. I would like you to please take a look at if they did something that we need and may agree to some term that they don't

do it as a quick pro-quam and take the service part out when we don't even get the service.

Mr. Cohen:

If I could just respond on that. The FCC has given us the authority to regulate a number of things. I think that maintenance is included in it because it includes installation and it also includes the equipment that TCI provides us. By the way that includes the remote control device that TCI charges \$3.00 a month. That's absurd because it shouldn't be a rental charge at all it should be one time charge. If you have cable for say five years that's \$36.00 time five. Somewhere in the area of \$160.00 just for that remote control device. So the FCC has given us some authority under their concrete guidelines to regulate beyond the basic service including installation and equipment.

Mr. O'Connor:

Same issue. Sorry I missed your post agenda last week. My first meeting I missed I was at a funeral with Billy Kahn so I had quite a few calls while I wasn't here. My point is on this TCI. Do we have any power on regulations on billing. I get alot of request why you get a bill fifteen days before the month that you start. I think its five days before and very few people understand that they have fifteen days to pay the bill. Can we have any say in the regulations on how they bill it?

Mr. Cohen:

I think that we do Councilman. I sent a letter to the law department about two and a half months ago about this. The reason is that our own law, the City's law that came into play when Warner Communications installed its first cable facilities. Our City law says that the cable company can bill up unto two months in advance of service. I sent a letter to the law department

two and a half months ago asking if we could repeal that law. I haven't gotten a response yet. I don't think this is an FCC issue I think it a City law issue and its ridiculous that we have to pay for service that we haven't yet received and moreover sometimes if people haven't paid on time they have to pay a late payment on service that they only just received. So I think that we should introduce legislation on that too.

Mr. O'Connor:

Do you think you'll have the information from the law department by then.

Mr. Cohen:

I hope so. We followed it up.

Mr. O'Connor:

Its going to be at the table tommorow.

Mr. Cohen:

That's a good idea.

Mr. Ferlo:

Very quickly. First of all I want to thank Councilman Cohen for working on this issue because unfortunately its somewhat complicated and often times when your dealing I happened to look at the FCC regulations and it was about six inches worth of paper, six inches high. So I do want to thank him. I'm just concerned that whatever we do relative to the two resolutions that you've introduced that there is some formal legal interpretation and I'm wondering if there is any requirement public notification requirement for Council to even enact the two bills that you've introduced. I don't want to in any way assuming PTCL is not going to be excited about the fact that we're moving in this direction which is probably an understatement. I want to make sure that

legally we do everything that we're required to do in terms of the passage of the two bills that were introduced. I would like at some point a legal opinion and not knowing where the law department is. They haven't exactly been an advocate on another bill on the billboard legislation. I don't know where there at legally let's say politically on this issue on rate reform. I'd like to know if there planning on meeting with Council.

Mr. Cohen:

The person in the law department that has been overseeing cable services is Ashley Schaunner. Ashley was at our post agenda meeting last week and he has signed off on this on the legality of it. So our law department at least has said that these bills are legal but I think that we should have him here tomorrow when we discuss these bills.

Mr. Ferlo:

Also in pursuing the two bills that Mr. Cohen has introduced is it in there that we have to reconcile by way of the ordinance that was already approved that was the original ordinance when Warner Cable had it and/or any contractual arrangement between Warner Cable/PTCI and the City Bureau. I don't know if those issues have been researched but I would hope that we can have that issue addressed also.

The Chair:

We should ask the law department for an opinion on that as you just stated.

Mr. Ferlo:

Exactly, and to Mr. O'Connor's concern which is correct the advance billing. I know Mr. Wagner already has spoke in the past about the \$2.00 late fee which is disproportionate to the

amount of the bill using a gas company or light company as an example maybe that is not an issue and we want to try to see if we can gravel with.

Michelle Madoff:

New issue. Our dwindling tax base on state and federal budget reductions in funding for local governments will probably result in additional reductions of services the City can provide. Only today the School Board announced that there will be a further deficit in the coming year. That on top of the burdensome tax increase of this past year by the School Board will hit the City resident hard. Pittsburghers cannot absorb any more tax burdens. Faced with our fragile financial situation I believe now is the time to welcome riverboat gambling.

Riverboat gambling can redirect millions of dollars that leave the state and go to Atlantic City, Las Vegas and other gambling centers across the country. In Davenport, Iowa, Biolouxi, Mississippi, Quad City Iowa, Jackson Mississippi, Missouri, Kentucky cities have indicated that riverboat has not increased crime as feared by oponents. It has generated much needed revenues for human services, infrastructure, education etc. Riverboat gambling in the state of Iowa produced \$7.5 million in much needed revenue. In addition to creating over 1200 jobs and making riverfront projects extremely attractive to potential developers. Riverboat gambling in Davenport Iowa produced \$976 thousand of tax revenues for the City in its first year. There is no attributed increase in crime as feared again by oponents. It has been estimated that over \$320.5 million would be generated in total economic output as a result of the creation of riverboat gambling in the Pittsburgh Metropolitan Area. Almost 10,000 jobs could be created in the gaming, retail and hospitality industries. Approximately \$34.4 million in revenue for Allegheny County and the

City of Pittsburgh could be realized each year. Riverboat gambling has become a reality across the country.

Why not an addition tourist attraction for Pittsburgh? Because of the potential this proposal has to breathe life into our dismal economic outlook I'm urging this Council to send a strong message to Governor Casey and the State Legislators to support a measure to legalize riverboat gambling in the City of Pittsburgh.

I offer that as a motion and I hope someone will second it.

Mr. Ricciardi seconded the motion.

Which motion prevailed.

Michelle Madoff:

We have to deal with the reality. The reality one takes a look at and I think Councilman Ricciardi has pointed out that over the years we have cut the jobs at the level of delivering the services not at the Administrative level. We have some real tough decisions in this upcoming budget. We've cut services so desperately that no new Mayor I don't care who that Mayor will be can deliver without having the people to do the jobs.

I would strongly urge that we reconsider I think that we have already supported riverboat gambling in this Council in a resolution before Council previously. Am I right Mr. President.

The Chair:

I believe so. I'm not sure.

Michelle Madoff:

I think with the upcoming budget and the

fact that we go on break very shortly which happens every year we should be discussing our budget needs with Administration. I hope the next Administration will meet with informally starting about March or April. So that we don't hit November and say well there's no money. People vote with their feet. They leave the City. The more people that leave the rest of us are confronted with having to pay those debt services and loss of services by raising our taxes. We have to do something and we have to do it now. I would suggest very strongly that you support this resolution and we ask the Governor to move post haste to permit this in the legislators. The letter goes to all them with our point of view.

Mr. O'Connor:

Discussion. Same subject. I certainly support Michelle's intentions. But as you know Governor Casey is strongly against this. But I feel that you are bringing it up at the right time. Could we have a post agenda televised with our State Legislators and I think Frank Gigliotti is leading the charge in this area. We would lobby them in Council Chambers to make sure that they're all on board and send a strong message and also we would know that they are supporting this very important issue for Pittsburgh.

Michelle Madoff:

I agree with you completely. The only thing we can do let's deal with the real world. We don't have funds to deliver the services to the City. People will not come into the City unless we do that. We have a new incline problem. We're going to need money. If we don't get it from some other alternative source private/public partnership or from gaming issue this may solve a lot of problems for the School Board. It might solve a lot of problems for the City of Pittsburgh. We better get on with it and right now.

Mr. O'Connor:

In the past alot of our legislators have not followed up on some of the things that we feel is in the best interest of the City.

Michelle Madoff:

We would invite them to a post agenda. But I would also like that this moves today.

Mr. O'Connor:

Certainly seconded that in the letter that you called for a post agenda too.

The Chair:

Mr. Ferlo. Same issue.

Mr. Ferlo:

I'm for the resolution. I don't know what good this post agenda is going to have but I will be glad to participate. I think the best we can do and quite frankly and its a political act. That is we can pass all the resolutions we want. I think the best thing we can do as elected officials is make sure that this becomes a political issue in the gubernatorial election. The fact of the matter is as Councilman O'Connor pointed out. Bob Casey for whatever reason, moral reasoning or other wise does not support riverboat gambling and other forms of gambling in the Pocanoes and other projects that have come forward. However, there is a number of republicans, a number of democratic candidates that have emerged including Lt. Governor Singel who have indicated some measure of support for riverboat gambling. I think we need to work with the next Administration to devise an advocacy strategy towards lobbying around this issue. Its going to be a political fight. We could have all the meetings we want but I think we need to try to rally some support around these candidates that

are going to emerge and try to impress upon them the need to give us some home rule relief. In this instance let us have home rule as it relates to our desire to have riverboat gambling. The legislator is getting good in fact. They past the resolutions, including video poker but it got buried by the Governor.

The Chair:

If I'm not mistaken the Allegheny County Delegation supports it.

Mr. O'Connor:

Yeah.

Mr. Ricciardi:

Thank you Mr. Wagner. As stated by members Mr. O'Connor and Mr. Ferlo that I believe in 1993 we would not have legalized riverboat gambling in the City of Pittsburgh. Both looking at it from the legislator and the political view. I believe the prime sponsor is Frank Gigliotti and votes are in the house but not to override veto by Governor Casey and as Mr. Ferlo has flatly stated Governor Casey adamantly opposes riverboat gambling. I at this stage will support this motion. But let me state that I will support the motion as a generic legalizing riverboat gambling in the City of Pittsburgh. But before I support any type of final version of gambling here in the City of Pittsburgh I would have to look at the particulars to make sure that we did benefit from the revenues and we did not have detrimental impact on our neighborhoods. Especially if it happens south of the river I would be very cautious what happens south of the rivers and including the entire City of Pittsburgh.

There has been articles in some local magazines such as governing and some other magazine such as city and state that in some cities they have suffered because they have not really

gone into it very thoughtfully and just jumped into it. So obviously I would support this motion today and let it be stated that for in the future I would be very cautious of whether I supported riverboat gambling both a stand point from the City of Pittsburgh and especially my neighborhood South Side.

Michelle Madoff:

The reason I brought it up again. I brought up at this time to have riverboat gambling in light of the economic problems we're going to face. Is that by bringing it up we make it a political issue because if people the public and hopefully the media will know that this body is supporting it. When they know that it is that maybe they're not thrilled about it. But supporting legalizing riverboat gambling as opposed to not have services at the end of the year they may come aboard and they may put pressure on their legislators. That's why I introduced legislation to have our meetings televised.

Mr. Cohen:

Thank you Mr. President. On another issue. Its been awhile since I brought the Shadyside parking issue to this body and the reason is that permit parking in Shadyside I think is going quite well. The parking garage is operational all 208 spaces are working. It's 90 percent complete. Because of that there is probably less hostility and more harmony between residence and the merchants in Shadyside then there has been in many many years. But the rub is that last ten percent on the parking garage. The garage was suppose to be completed in November of 1992. It is now over six months later and it isn't complete. There is several problem with it. The elevators and its a three or four story project depending on how you look at it. The elevators are not operational and they have not been operational since the parking garage opened. That's a very, very serious

problem. Means that people who are handicapped or even elderly people or people who are weighed down with shopping bags won't be able to go to the higher floors by using the elevators. Moreover its a violation of the Americans with Disability Act. The window louvers have not been installed yet and now there are just wooden planks there and there are several other projects with the parking garage.

There are also mechanical lifts that are across the street, across Bellefonte Street that have been there for some time. They were supposed to have been taken out on January the 2nd and they're still there. Finally the streets around the parking garage are not paved. Because of the construction project alot of pot holes were placed there and have not been paved and can't be paid until the parking garage is complete. The Public Works Department has given their commitment to pave them but they cannot do that until its complete.

On top of this the Shadyside Arts Festival which is an enormously successful yearly event is coming to Shadyside in the beginning of August. Which means thousands and thousands of people will be there. At this parking garage and is not complete the mechanical lifts aren't taken out and the streets aren't paved by that time then its going to be a very serious, even a more serious problem than it is right now. I realize that there has been many problems in the construction of the garage including the disputes with the contractors, disputes between the contractor and architect etc. The fact of the matter is it is not complete. I've worked with executive director of the parking authority the residents and the merchants for the last many months to see what we can do to get these things completed. Frankly, I'm frustrated. So I come to Council and would like to put in the form of a motion that we have a public hearing to get a report from the parking authority, the executive director of the parking authority as well as the Mayor's Office on why it

isn't completed and what can be done to make sure that this is completed before the arrival of the Shadyside Arts Festival.

So I'd like to move that we have a public hearing.

Mr. Ferlo seconded the motion.

Which motion prevailed.

Mr. Ferlo:

I do support this wholeheartedly. Obviously everything Mr. Cohen says is accurate and its obviously a problem. Although it is in his district we know that Shadyside does attract alot of people including myself because I like to eat at Pasta Piatta. Which unfortunately also is going through hard times in part because of the historic parking problem in Shadyside. To me that whole garage situation has been boon doggle. I hope that in the future that there will be a change in the leadership of the Parking Authority most notably at the Director level. The brick work also still has yet to be complete.

The other concern I have though is I don't know maybe get a clarification from Mr. Cohen who has been working with the merchants. The money that has already been appropriated for the lifts cost I think \$200,000. I've been to Shadyside on occassion when the garage has been full and in fact the two parts of the surface lots where the lifts are located have not been operational. I'm wondering wouldn't it be more appropriate and supply additional parking to keep the lifts there working as opposed to just removing them. They would provide additional parking if and when the actual garage if filled. I know that it is not going to be as lucrative for Eddie Lewis but the fact that the matter is that we've already expended the dollars for the mechanical lifts. I'm wondering whether or not any thought was given to just keeping them there. But insisting that the parking

contractor actually have people out there servicing those lifts.

Mr. Cohen:

That me just respond briefly if I may. You're right that the lifts weren't operational until a meeting that we had on April the 16th with Jeff Leber the executive director of the Parking Authority and representatives from the Shadyside Action Coalition and the Shadyside Chamber of Commerce were there. We decided then to ask Jeff Leber to make those lifts operational until they are removed from those lots across from Bellefonte Street. So as of April 20th actually those lifts have been operational. I think six days a week.

So they have been up until now but I think that there is a consensus and maybe we'll confirm this at the public hearing. But I believe that there is a consensus that we should complete the parking garage and get those lifts out of there because they are an eye soar to the community. But why don't we wait until the public hearing and see what people say.

Mr. O'Connor:

Just one question. I get alot of complaints from Shadyside and Squirrel and we've talked about it. Is it going to take too long for a public hearing? Would a post agenda be faster if you could bring the appropriate parties together? As Mr. Ferlo mentioned I don't know why it would take this long to build a garage. Somebody's dropping the bomb.

Mr. Cohen:

Yes. Somebody has. I've talked with Mr. Perry about this and I think we can get a public hearing very quickly. Of course President Wagner would identify the date but I think we can get one fairly quickly.

Mr. Ricciardi:

Mr. Wagner just some good news. I'd like report that the traffic light including the Do Not Walk/Walk Pedestrian Lights at 21st and Carson Street have been energized this past weekend. I'd just like to thank my colleagues for passing the generic legislation. There is an important person I'd thank. First I'd like to thank my colleagues that passed the generic legislation which funded the light at a cost of \$32,000. Its an issue that I've been committed to since January of 1990. Eventually in 1991 when I chaired the Engineering and Construction I was able to get the proper funding. But there were some problems with energizing the light in terms of the location of loading and unloading dots in the South Side. Lot of thanks has to go to Terry

Woodcock. When we hit a point where we were having some problems with the Department of Engineering and Construction and Public Works and Planning, Terry Woodcock stepped up and in two weeks he was able to settle some problems that we were having. So I would really thank Terry Woodcock of the Mayor's Office for his help. Thank you.

Mr. Ferlo moved to excuse Mr. Onorato for absence from the meeting.

Mr. Cohen seconded the motion.

Which motion prevailed.

And on the motion of **Mr. Ferlo**

Council adjourned.

MUNICIPAL RECORD

Proceedings of the Council of the City of Pittsburgh

VOL. CXXVII

Tuesday, June 15, 1993

No. 24

Municipal Record

ONE-HUNDRED TWENTY-SEVENTH COUNCIL

JACK WAGNER President
MICHAEL PERRY City Clerk
LINDA M. JOHNSON-WASLER.... Asst. City Clerk

Pittsburgh, PA
Tuesday, June 15, 1993

PRESENT:

MR. COHEN	MR. ONORATO
MR. DARKINS	MR. RICCIARDI
MR. FERLO	MR. SMITH
MICHELLE MADOFF	MR. WAGNER
MR. O'CONNOR	(Pres't)

The Meeting was opened by the recitation of the Pledge of Allegiance to the Flag of the United States of America, and a moment of silent prayer for peace throughout the world.

I pledge allegiance to the Flag of the United States of America and to the Republic for which it stands, one Nation, under God, indivisible, with liberty and justice for all.

PRESENTATIONS

Mr. Darkins:

I would ask that Doctor Familoni come and her guest that are with her. I'm just trying to wait Mr. President until they clear their desk. What I have is very important.

The Chair:

Yes Sir. Thank you.

Mr. Darkins presents

No. 2780 WHEREAS, The Community of Reconciliation Urban Peace Committee joins the Organization of African Unity, The United States Committee for UNICEF and the world community in commemorating The Day of The African Child, an annual remembrance of the uprising and massacre of the children of Soweto on June Sixteenth; and

WHEREAS, The Community of Reconciliation Urban Peace Committee is encouraging churches, organizations and civic groups throughout the Pittsburgh community to sponsor events from June sixteenth through the thirtieth, to highlight the needs, celebrate the achievements and recognize the beauty and diversity of the diaspora of African children; and

WHEREAS, The outstanding work of Djibril Diallo, Special Assistant to the Executive Director of UNICEF, is recognized for

spearheading the international campaign of The Day of the African Child; and

WHEREAS, Dr. Pinkie Familoni, Coordinator of African Projects, Community of Reconciliation Urban Peace Committee, is being honored for her outstanding work in organizing the event at the Community of Reconciliation and in Pittsburgh.

NOW, THEREFORE, BE IT RESOLVED THAT THE COUNCIL OF THE CITY OF PITTSBURGH commends the entire team responsible for the successful undertakings of the organizations involved in making and keeping us aware of the Day of The African Child; and

BE IT FURTHER RESOLVED THAT THE COUNCIL OF THE CITY OF PITTSBURGH declares June 16, 1993 as The Day of The African Child throughout the City of Pittsburgh and encourages support of this very special and worthwhile event.

Mr. Darkins moved to adopt the resolution.

Mr. Cohen seconded the motion

Which motion prevailed.

Dr. Familoni:

Thank you very much and good morning. I am very grateful to you for recognizing the 3rd Annual Day of The African Child. As we said The Organization of African Unity declared June 16th The Day of the African Child. Those of you that know me know that June 16th is a very significant day for me. Seventeen years ago tomorrow, June 16th the children of Soweto were massacred for speaking out against apartheid. So its very befitting that The Organization of African Unity chose this day to recognize African children all over the world.

The Day of the African Child gives us an opportunity to recognize the needs and achievements of the diaspora of African Children. Africa has only ten percent of the world's child population but one-third or about thirteen million children who die every year are African. Over thirty million children in Africa are suffering from malnutrition. At least one African in three of primary school age do not attend school. Yet two facts stand out that give cause for hope and optimism. We have the capability to succeed in creating a better life for all of our children. As well as the conditions favorable to due so.

Also we have to think in terms of children of African heritage in this country. We also have the capability to solve many of the problems that they are confronted with and to make it a better world for them as well.

At this time I'd like to introduce although he is not going to speak is Tony Norman. He is the Co-Chair of The Urban Peace Committee at The Community of Reconciliation. Also I'd like to introduce our new minister Reverend Ludlow. He's new in Pittsburgh and he's come to serve as our new pastor at The Community of Reconciliation. He is going to speak to you this morning. Thank you for your attention.

Reverend Ludlow:

Thank you. Its an honor to be involved with this congregation and be in the City of Pittsburgh and to be a part of this important observance of The Day of the African Child. One more fact might be worth remembering of the estimated 640 million people in Africa about 47 percent are children under sixteen. The average life expectancy is 20 years less than that in children in the industrialized world. There's been some progress in life expectancy that is for children born in 1990 there life expectancy has

risen to 53 years from an average of 41 in 1960. Those are heavy facts but they're hopeful facts. I guess the thing I would comment on is that for most people events, facts can be sterile, can be kind of impersonal. But if you think about these events. The massacre of the people and children of Soweto. You think about other historical events that directly affected your family or your cultural group. The hope we have for a better world is that we can appropriate that history and those people and those facts as our own and feel them. I encourage us all to do that. Thank you.

The Chair:

Thank you all. Thank you Councilman Darkins. Councilman I believe you have a resolution read into the record.

Mr. Darkins:

I have two resolutions to be read into the record. One is the Bertha Petite and the other is the J.U.G.S.

The Chair:

Thank you Councilman. And you'll present one later.

Mr. Darkins presents

No. 2783 WHEREAS, Bertha Petite retires from the Allegheny County Court of Commons Pleas in December, 1992 after many years of excellent service; and

WHEREAS, Bertha Petite, recently celebrated being married to her husband Oscar for more than 50 years, and together they have four sons: Stanley, Phillippe, Oscar, Jr. and Adrian Kent; and

WHEREAS, Bertha Petite was the first woman elected to the Board of Directors of the

Lutheran Church extension Society in September, 1992; and

WHEREAS, Bertha Petite's voluntary efforts also include: The Recording Secretary of the African Heritage Classroom Committee; and a member of the Orientation Selection Group, responsible for sending Pitt students to study abroad.

NOW, THEREFORE, BE IT RESOLVED THAT THE CITY COUNCIL OF THE CITY OF PITTSBURGH gives recognition to Bertha Petite for her unselfish contributions toward making Pittsburgh America's most livable city.

Mr. Darkins moved to adopt the resolution.

Mr. Ferlo seconded the motion.

Which motion prevailed.

Mr. Darkins presents

No. 2781 WHEREAS, J.U.G.S., stands for Justice, Unity, Generosity, and Service, Incorporated in celebrating its 25th Anniversary on Saturday, June 19, 1993 at the Sheraton Hotel at Station Square; and

WHEREAS, The mission statement of this organization is to seek out the needs and the problems of the community and to help to resolve those problems by supporting existing programs or creating new ones; and

WHEREAS, The Proceeds from this year's celebration will benefit Urban Youth Action Scholarship Awards; and

WHEREAS, The Pittsburgh Chapter of J.U.G.S., in keeping with the purpose of the organization which, basically is rendering service has as its President Altha Blair and

Thelma Cook as Business Manager. The members are Katherine Allen, Jackie Abraham, Janice Hamm, Gail Jackson, Maude Jones, Patricia Lawyer, Ann Mitchell-Hill, Vivan Shelton, Christine White-Taylor, and Mary Ann Williams.

NOW, THEREFORE, BE IT RESOLVED THAT THE COUNCIL OF THE CITY OF PITTSBURGH gives recognition to J.U.G.S., Incorporated as a valuable supporter of community organizations throughout the city which enable all Pittsburghers to achieve a better standard of living.

Mr. Darkins move to adopt the resolution.

Mr. Smith seconded the motion.

Which motion prevailed.

The Chair:

The next resolution will be presented by Councilman O'Connor.

Mr. O'Connor:

Morning. Dr. Baker and your staff please come up. I can't recognize everybody. Yesterday at the birthday party you were dressed a little different. We had an exciting day at the zoo yesterday and I just want to officially give them a proclamation in front of Council.

Mr. O'Connor presents

No. 2784 WHEREAS, in 1898, Christopher Lyman Magee, the philanthropic Pittsburgh politician, donated \$125,000 for the construction of a zoological garden building in the Highland Park section of the city; and

WHEREAS, other generous residents donated funds to the purchase and

transportation of animals to the new facility; and,

WHEREAS, the Pittsburgh Zoo opened to the public June 14, 1898, giving many residents their first opportunity to view a large, diverse collection of exotic animals; and

WHEREAS, the Zoo has steadily renovated its exhibits, the most recent of these renovations being the 1991 completion of the \$20 million ten-year master plan which included the African Savanna, Asian Forest and Tropical Forest Complex exhibits; and

WHEREAS, at the same time that a second-phase ten-year master plan has begun, with the construction of the Education Complex to open in September 1993 and fundraising for the Children's Farm renovation, the Pittsburgh Zoo is celebrating its 95th anniversary.

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh congratulates the Pittsburgh Zoo as it officially celebrates its 95 years of promoting zoological conservation, education, recreation and research.

BE IT FURTHER RESOLVED, that the Council of the City of Pittsburgh, proclaims June 14 through June 20, 1993, "Zoo Week" in the City of Pittsburgh.

Mr. O'Connor moved to adopt the resolution.

Mr. Cohen seconded the motion.

Which motion prevailed.

Mr. O'Connor:

Attested by Jack Wagner. Mike Perry City Clerk and sponsored by Bob O'Connor. I apologized it should of had Jim Ferlo with me. Its his district. Yesterday we had a nice birthday

party there. It is an exciting zoo and if you haven't been there I recommend it to everybody. Since I've been on that chair I've been there 2 or 3 times. Unfortunately we all wait 10 years to go back to the zoo maybe we get some kids or nephews or nieces. But its an outstanding place and Doctor is doing outstanding job. I want to congratulate you and please come up and introduce your staff to us.

Dr. Baker:

I'm honored and privileged I think to be at the Pittsburgh Zoo, particularly on its 95th Anniversary. The Zoo has been and will continue to be a tremendous asset for the community of Pittsburgh. Just in the last 10 years alone the Zoo alone has served over 5 1/2 million people. If you take that and extrapolate it over 95 years that comes out to almost over 50 million people in the 95 year history of the Zoo.

The Zoo is particularly unique because we have the ability to appeal to people of all ages and all walks of life. That's very exciting for us. The Zoo is also very proud of its commitment to endangered species. To just name a few gorillas, orangutans, snow leopards, black rhinos have been born at the Pittsburgh Zoo. Allowing those animals to also have a future. We're very excited about that as well.

I want to be sure to recognize the Zoo's Senior Staff who have joined me here today. They have chosen not to be introduced individually but they have certainly done a wonderful job at the Zoo. I do thank them for their commitment. The entire Zoo staff of course does a wonderful job. We're very proud of them. Our Zoo volunteers we could not do our programs without. Of course our Zoo Society who helps us on fundraising and support. In general I want to thank all of our supporters, all of our visitors, all of our guest at the Zoo for coming to the Zoo and being a part of the Pittsburgh Zoo. Thank you.

Mr. Ferlo:

I believe the zoo is 95 cents admission all this week.

The Chair:

Is that right, Director?

Mr. Ferlo:

Might want to point out that this month Geographic has a beautiful picture of the Pittsburgh Zoo.

The Chair:

Go ahead Director.

Doctor Baker:

Well, I don't have to be prompted to promote the Zoo but we will tell you that all week long in honor in celebration of our 95th Anniversary the Zoo's admission is 95 cents this entire week through Sunday to allow everyone to come and see the Zoo on its 95 Anniversary. In addition if you haven't had an opportunity there is a spectacular picture of the Zoo in National Geographic this month in an article on zoos. So we certainly invite you to come and enjoy the Zoo. Thank you.

The Chair:

Thank you. Thank you all for being here. Thank you Councilman O'Connor. Next resolution presented by Councilman Onorato.

Mr. Onorato presents

No. 2785 WHEREAS, Mrs. Margaret Cross was born in 1923 and will be celebrating her seventieth birthday on June 13th, 1993; and

WHEREAS, Mrs. Margaret Cross has been a member of the Heritage Committee of the First Baptist Church of West Petersburg for approximately ten years; and

WHEREAS, Mrs. Cross has served faithfully in such capacities as member of the Usher Board, devoted congregation member, and choir member; and

WHEREAS, Mrs. Cross has been dedicated to the Church and has given much of her time to ministering to and witnessing for the benefit of others; and

WHEREAS, the congregation members of the Heritage Committee of the First Baptist Church of West Petersburg recognize the devotion, loyalty, and steadfastness of Mrs. Margaret Cross;

NOW, THEREFORE BE IT RESOLVED, that the Council of the City of Pittsburgh congratulates Mrs. Margaret Cross on the celebration of her seventieth birthday.

Mr. Ricciardi moved to adopt the resolution.

Mr. Ferlo seconded the motion.

Which motion prevailed.

The Chair:

Councilman Darkins, you have one final resolution.

Mr. Darkins:

Yes sir. I would ask that Doctor Ted Vasser and his family come.

Mr. Darkins presents

No. 2782 WHEREAS, Dr. Theodore R. Vasser, Jr. was born on January 9, 1927, and will retire this year after 42 years as an Educator; and

WHEREAS, Dr. Vasser was married on May 11, 1955 to Beatrice and together they have two children: Rosalynn Denise Vasser-Benjamin, Theodore Vasser, III and two grandchildren; and

WHEREAS, Dr. Vasser's distinguished career in Pittsburgh's Public School System began in 1957 as special Education Teacher at Herron Hill where he served for ten years, then on to Fort Pitt as an Assistant Principal from September 1968 to 1970, he was Principal at Manchester Elementary School, where he began the first hot lunch program; and

WHEREAS, from September 1979 to 1980, Dr. Vasser was Principal of Phillips Elementary School until September 1980 until he began as the Principal of Gladstone Middle School where he remains until, he retires later this year.

NOW THEREFORE, BE IT RESOLVED, THAT THE CITY OF PITTSBURGH recognizes the accomplishments and the contributions of Dr. Theodore R. Vasser, Jr. to the City of Pittsburgh and hereby declares Saturday June 18, 1993, as Dr. Theodore R. Vasser, Jr. Day in the City of Pittsburgh.

Mr. Darkins moved to adopt the resolution.

Mr. Ferlo seconded the motion.

Which motion prevailed.

Doctor Vasser:

President and Members of Council. I want to thank you for this honor for recognizing the effort that we have put forth to try to enhance the education of our children in the City of Pittsburgh. So many things I'd like to say. Maybe it's a different trend. I think City Council can play a very important role in educating the youngsters in Pittsburgh. A lot of emphasizes have put on the cognitive domain of education but think what we have to do. Put a little more emphasizes on the effective domain. We got to deal with attitudes. We got to deal with emotions. I think City Council can do this. There are some programs that you may be able to initiate. Hopefully you will.

President Wagner, I want to thank you and the Members of Council for honoring me this day. Thank you very much.

The Chair:

Members of Council. Ladies and gentleman. I'm honored to present this next resolution. I'd like to ask Carole McMahon who is the Executive Director of Genesis of Pittsburgh to step forward to receive it. The resolution declares today, June 15th as Genesis Day in the City of Pittsburgh and we will also be highlighting a grand opportunity for people to buy tickets to the Phantom of the Opera. I've indicated the telephone number of 766-3248 and Carole is going to explain that in more detail after I read the resolution and present it. I'm honored to present it. Carole welcome.

The Chair presents

No. 2786 WHEREAS, Genesis of Pittsburgh, Inc. was established in 1973 as a telephone referral service, and has grown into a nonpolitical, nonsectarian, and nonprofit comprehensive support agency dedicated to

providing assistance to young women facing the problems of an unplanned pregnancy; and

WHEREAS, as a licensed adoption agency, Genesis of Pittsburgh provides a positive alternative for distressed biological parents, including a full range of services such as counseling and support groups for biological and adoptive parents; and,

WHEREAS, Genesis offers caring and confidential assistance, throughout the pregnancy, including a residential program at Genesis House where high school education, career counseling, child care and parenting and other life skill classes are offered; and

WHEREAS, Genesis provides practical and emotional assistance to those clients who choose to parent their children by providing a continuing support system following delivery including counseling and the provision of baby clothing and equipment, formula and diapers, clothing and furnishings; and,

WHEREAS, Genesis' programs and services are funded primarily through grass roots public support and a variety of fund raising endeavors including "The Phantom of the Opera" benefit planned for August 26 through August 29, 1993 and the first annual "Genesis Riverside Run for Adoption" scheduled for September 4, 1993.

WHEREAS, Genesis and its Executive Director, Carole McMahon, have won numerous awards for their work, including a commendation from the commissioners of Allegheny County, the Children's Council of Pittsburgh Achievement Award, and recognition through a news feature on CBS Evening News with Dan Rather.

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of

Pittsburgh hereby commends Genesis of Pittsburgh, Inc. for their quiet assistance in helping distressed pregnant women create new beginnings for themselves and their unborn children; and

BE IT FURTHER RESOLVED, that the Council of the City of Pittsburgh declares Tuesday, June 15, 1993, as Genesis Day in the City of Pittsburgh for the organization's positive contributions to many young women and babies in Western Pennsylvania.

Mr. Darkins moved to adopt the resolution.

Mr. Smith seconded the motion.

Which motion prevailed.

The Chair:

Thank you members of Council. Carole I'm honored to present this resolution. More importantly I'm honored to say that this organization has been in existence for 20 years. Doing an exceptional job. Councilman Darkins you are well aware of it. Helping young women. Helping young children. Helping adoptive parents. Doing really a great job in a very quiet way. Obviously, they need to raise monies as a non-profit organization and they're involved in a couple of efforts this year, very big efforts. Some of the biggest programs they've ever taken on. One which is the Phantom of the Opera by which the public can buy tickets for the Phantom of the Opera through Genesis. It is a tax deductible contribution. By buying the tickets Carole is going to speak to that.

Carole, I can't say about you and Genesis and the staff and volunteers who have done an exceptional job. Congratulations and please enlighten us further. Thank You.

Carole McMahon:

After that what can I possibly, possibly say. It is with great pleasure that I stand before you. I appreciate so very, very much this resolution which was made for Genesis of Pittsburgh.

It is in appreciation of the small staff of Genesis and the hundreds of volunteers that give their time, their commitment, their dedication to allow Genesis to grow over the 20 years that it has.

In 1973 as you said started out as just a small hotline and it has grown into a full service social service agency, license maternity care facility and license adoption agency. It is through these fundraising efforts and everyone runs when we come because we're selling pencils and cupcakes. You name it. We're doing it. Its in order to be able to provide all of the services that we do to every young woman that she is able to make the choice to make that she wishes to make without any fee or any charge to her. As far as the adoption also that there is just minimal fee so that it is possible for everyone or anyone who wishes to adopt to do so.

I appreciate so very very much the mention of Phantom of the Opera. This is certainly one of our largest endeavors that we've taken on. It is from August 26 through the 29th at the Benedum Center. The Phantom of the Opera this is our benefit. I'd like to promote that as much as possible. We have wonderful, wonderful seats available. They can get more information and order tickets at that number 766-3248. For more information on Genesis and how we can help. Every young woman that needs that help can call our hotline at 761-5505.

I thank you from the bottom of my heart for this. Thank you.

Mr. Darkins:

You know you're doing a great job. I envy our President this morning because he's

promoting it. But before Mr. Dunkin passed, we go back from the beginning. To see what has happened since she has passed. Genesis has come underneath and picked up the works of Elizabeth Dunkin for children.

I'm just trying to impound upon my colleagues in Council here because they really don't know the work that you all are doing. The children that your placing in homes. I would say as a promotion because I'm looking forward to it. Everyone that is looking at us today, this morning and this evening. They should call 766-3248. Call. They should do that. They should be a part of this because they will never know after seeing the resolution being presented today by our President here in Council. They'll acutally have to be a part of this entire organization. So want to encourage you to keep doing the work that you're doing. Anything that Duane Adrian Darkins can do I'll be there.

The Chair:

Thank you all.

Mr. Cohen presented

No. 2756 Resolution providing for the issuance of a \$1,393.26 warrant in favor of Eric G. Kelly in settlement of claim for automobile damage incurred when a Public Works truck struck a parked vehicle due to the icy condition of the roadway, payable from Code Account No. 46, Judgments.

Also,

No. 2757 Resolution providing for an Agreement or Agreements with various agencies for job development and employment services in connection with the 1993 Neighborhood Employment Program. Said agreements or agreements also provide for the purchase, in order to maximize and increase job opportunities

for City residents by connecting the network of Neighborhood Employment Projects to each other and to other computerized employment sources, at a cost not to exceed \$300,000.00, chargeable to and payable from the 1993 CDBG Program, Dept. of Personnel and Civil Service Commission CDPCS Code Account 4-85-01-0001-93-411-93-85.

Also,

No. 2758 Resolution providing for an Agreement or Agreements with various agencies for job development and employment services and/or on-the-job training in connection with the 1993 Pittsburgh Partnership Employment Program at a cost not to exceed \$130,000.00, chargeable to and payable from 1993 CDBG Program, Dept. of Personnel and Civil Service Commission CDPCS.

Also,

No. 2759 Resolution providing for authorization to make all legitimate administrative expenditures necessary to implement the Pittsburgh Partnership Employment Program; providing for the periodic transfer of funds to reimburse for program administrative costs incurred, and providing for the periodic transfer of funds to be used for wages and fringe benefits for participation of the Pittsburgh Partnership Employment Program. The transfer is a total amount not to exceed \$80,000.00 from the 1993 CDBG Program, Dept. of Personnel and Civil Service Commission, CDPCS, Code Account 4-85-01-0003-93-373-93-85, Index Code 612895, to the JTPA-1 Trust Fund, Index Code 260307, as advance payment for participant wages and fringe benefits.

Which were severally read and referred to the Committee on Finance.

Mr. Darkins presented

No. 2760 Resolution transferring the amount of \$1,000.00 from Code Account 1001-1 (100115), Misc. Services, Supplies & Equipment, City Council (District No. 9) to Code Account 1838 (183806), Misc. Services, Dept. of Parks and Recreation. ---**(SPONSORED BY MR. DARKINS)**

Which was read and referred to the Committee on Finance.

Also,

No. 2761 Resolution granting unto Mary J. K. Burres, 112 Hacktown Street, Pittsburgh, Pennsylvania 15203, her successors and assigns, the privilege and license to construct, maintain and use at her own cost and expense, two (2) wooden over-hang decks over a portion of her sidewalk in the right-of-way of Hacktown Street in the 17th Ward, 3rd Council District of the City of Pittsburgh.

Also,

No. 2762 Resolution authorizing the Mayor and the Director of the Department of Public Works to execute an Amendment Agreement with the Borough of Plum, the Plum Borough Municipal Sewer Authority and the Allegheny County Sanitary Authority consenting to the assignment of Sewage Service Amendment Agreement among the City, the Allegheny County Sanitary Authority and Plum Borough Municipal Sewer Authority.

Which were read and referred to the Committee on Public Works.

Also,

No. 2763 Resolution providing for an Agreement or Agreements with Peabody High

School, for the Peabody High School Band Parents, for the furnishing of professional services for the benefit of the residents of the City of Pittsburgh. The total cost of the agreement shall not exceed \$1,000.00, chargeable to and payable from Code Account 1838 (183806), Misc. Services, Dept. of Parks and Recreation. ---**(SPONSORED BY MR. DARKINS)**

Which was read and referred to the Committee on Parks and Recreation.

Mr. Ferlo presented

No. 2764 Resolution providing for City Council to retain its attorney and that, if it is the will of Council, said attorney shall represent Council as a body in legal proceedings to enforce and defend the legislative process, and/or Council's powers and duties.

---**(SPONSORED BY MR. FERLO & MR. RICCIARDI)**

Which was read and referred to the Committee on Finance.

Mr. Ferlo moved to suspend Rule 8 by providing for consideration of all the bill only until or after the 8th calendar day following the meeting in which the bill was introduced so the bill will be on the agenda this Wednesday.

Mr. Darkins seconded the motion.

Which motion prevailed.

Also,

No. 2765 An Ordinance amending the Pittsburgh Code, Title Nine, Zoning, Article III, Chapter 921, Section 921.02, Zoning District Map No. 7, by changing from "R3" Multiple-Family Residence District and "M3" Light Industrial District to "A1" Commercial-Residential Associated District all that certain

property bounded by: Wabash Street; Greentree Road; McKnight Street; Lot 101, Block 19-S in the Allegheny County Block & Lot System; Woodville Avenue; Greentree Road; Lot 160, Block 19-S; Lot 207, Block 19-S; and Lot 53, Block 19-S, all in the aforementioned System; and unnamed way running north and south between Lot 53 and McCartney Street; and McCartney Street; 20th Ward, City of Pittsburgh. (Council District No. 2)

Also,

No. 2766 Resolution authorizing the URA of Pgh. to submit an application to the Pennsylvania Department of Community Affairs for a grant of Strategy 21 funds in the amount of \$6,000,000.00 for the Andy Warhol Museum. (Council District No. 6)

Also,

No. 2767 Resolution authorizing a Cooperation Agreement with the URA of Pgh. providing for the designation of \$14,000,000.00 in private investment in the Andy Warhol Museum as the local share for a grant applied for in an application for Strategy 21 funds filed with the Pennsylvania Department of Community Affairs. (Council District No. 1)

Also,

No. 2768 Resolution authorizing the URA of Pgh. to submit an application to the Pennsylvania Department of Community Affairs for a grant of strategy 21 funds in the amount of \$1,000,000.00 for the Downtown Library Center. (Council District No. 6)

Also,

No. 2769 Resolution authorizing a Cooperation Agreement with the URA of Pgh. providing for the designation of \$4,500,000.00 in

public and private investment in the Downtown Library Center as the local share for a grant applied for in an application for strategy 21 funds filed with the Pennsylvania Department of Community Affairs. (Council District No. 6)

Also,

No. 2770 Resolution authorizing a 1993 Cooperation Agreement or Agreements with the URA of Pgh. providing for the transfer of funds from the Authority to the City to fund community development corporations. Said funds will be deposited in the Community Based Organizations Trust Fund.

Also,

No. 2771 Resolution approving execution of a Contract for Disposition of Land by and between the URA of Pgh. and Lawrenceville Development Corporation for the sale of Block 48S Lot 258 and Block 49N Lots 114 and 117 for \$1,000.00 per dwelling unit, in the 6th Ward of the City of Pittsburgh. The redeveloper owns the adjacent vacant lots and intends to purchase these lots to assemble a site for residential development. The three lots contain a total of 14,946 square feet and are located at 3435, 3447 and 3439 Penn Avenue. The redeveloper plans to construct three units on these lots and three on the adjacent lots. The redeveloper is a Pennsylvania non-profit corporation with an office at 10 43rd Street, Pgh., PA 15201. The officers are: David T. Dombrowiak, President; Owen T. Cook, Vice-President; Gerry Dettore, Treasurer; Beth Chambers, Secretary; and Nancy Noska, Executive Director. (Council District No. 7)

Also,

No. 2772 Resolution approving execution of a Contract for Disposition of Land by and between the URA of Pgh. and

Homewood-Brushton Revitalization & Development Corporation for the sale of Block 174L Lot 74 in the 13th Ward of the City of Pittsburgh. The redeveloper plans to construct 24 townhouse units on this lot located in the 7400 block of Frankstown Avenue. The lot contains approximately 66,942 square feet. The purchase price is \$1,000.00 per dwelling unit. The redeveloper is a Pennsylvania non-profit corporation with an office at 805 N. Homewood Avenue, Pgh., PA 15208. The officers are Lester Cain, Chairman; Lonnine Peay, Vice-Chairman; Wade Lipscomb, Secretary; and Helen Hurst, Executive Director. (Council District No. 9)

Which were severally read and referred to the Committee on Planning, Housing and Development.

Michelle Madoff presented

No. 2773 Resolution providing for the transfer of funds totalling \$400,000.00 from various code accounts as follows: Code Account 1978, Chemicals - \$150,000.00; Code Account 1927-9, Workers Compensation - \$50,000.00; and Code Account 1982, Rental of Equipment - \$200,000.00; to the Department of Water, Code Account 1984, Repairs, Distribution Division, Department of Water. This transfer is necessary to pay for concrete and asphalt repairs provided by a private contractor.

Which was read and referred to the Committee on Finance.

Mr. O'Connor presented

No. 2774 Resolution authorizing the issuance of a warrant in favor of the Pittsburgh Hilton and Towers, in the amount of \$9,302.04 in payment for the Citiparks Senior Center Program Volunteer Recognition Gala, for the benefit of the City, chargeable to and payable from Code Account SCPTF, Senior Citizen Program Trust

Fund, Dept. of Parks and Recreation.

Which was read and referred to the Committee on Finance.

REPORTS OF COMMITTEES

Mr. Cohen presented

Bill No. 2775

Report of the Committee on Finance for June 9, 1993 transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 2690

A Resolution entitled, "Resolution providing for the filing of a petition or petitions for the sale of certain property or properties, acquired at tax sales in accordance with Act No. 171 of 1984, "Second Class City Treasurer Sale and Collection Act", effective December 11, 1984."
---(MR. COHEN) (AS AMENDED)

Which was read.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen
Mr. Darkins

Mr. Onorato
Mr. Ricciardi

Mr. Ferlo Mr. Smith
Michelle Madoff Mr. Wagner
Mr. O'Connor (Pres't)

AYES 9 NOES none

And a majority of the votes of Council
being in the affirmative, the bill passed finally.

Also,

Bill No. 2702

A Resolution entitled, "Resolution providing for
a warrant in favor of Councilwoman Michelle
Madoff in the amount of \$1,092.00 for
reimbursement of VISA account for costs
associated with overnight accommodations for
the Senior Center Educational Tour held in
Baltimore, MD, chargeable to and payable from
Code Account 1001-1, Miscellaneous Services,
Supplies, Equipment, City Council."
---(SPONSORED BY MICHELLE
MADOFF)

Which was read.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass
finally?"

The ayes and noes were taken agreeably
to law, and were:

Ayes:

Mr. Cohen Mr. Onorato
Mr. Darkins Mr. Ricciardi
Mr. Ferlo Mr. Smith
Michelle Madoff Mr. Wagner
Mr. O'Connor (Pres't)

AYES 9 NOES none

And there being two-thirds of the votes of
Council in the affirmative, the bill passed finally.

Also,

Bill No. 2731

A Resolution entitled, "Resolution transferring
the amount of \$80,000.00 from Code Account
1803, Utilities Index Code 180307 to Code
Account PCTF (253153), Phipps Conservatory
Trust Fund in the Department of Parks and
Recreation." ---(**MR. O'CONNOR**)

Which was read.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass
finally?"

The ayes and noes were taken agreeably
to law, and were:

Ayes:

Mr. Cohen Mr. Onorato
Mr. Darkins Mr. Ricciardi
Mr. Ferlo Mr. Smith
Michelle Madoff Mr. Wagner
Mr. O'Connor (Pres't)

AYES 9 NOES none

And a majority of the votes of Council
being in the affirmative, the bill passed finally.

Mr. Darkins presented

Bill No. 2776

Report of the Committee on Public Works for June 9, 1993 transmitting one resolution to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 2691

A Resolution entitled, "Resolution vacating a portion of Alsace Street from Hale Street to 72.67 feet southeasterly to the terminus of Alsace Street in the 13th Ward, 9th Council District of the City of Pittsburgh. A fee of \$1,500.00 is being charged for this vacation."

Which was read.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. Onorato
Mr. Darkins	Mr. Ricciardi
Mr. Ferlo	Mr. Smith
Michelle Madoff	Mr. Wagner
Mr. O'Connor	(Pres't)

AYES 9 NOES none

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Mr. Ferlo presented

Bill No. 2777

Report of the Committee on Planning, Housing and Development for June 9, 1993 transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 2662

A Resolution entitled, "Resolution approving execution of a contract for disposition of land by and between the Urban Redevelopment Authority of Pittsburgh and Chip Associates for the sale of part of parcel 8 in the 28th Ward of the City of Pittsburgh in part of Redevelopment Area No. 24 (Light Industrial Construction). Chartiers Valley Project."

Which was read.

Also,

Bill No. 2663

A Resolution entitled, "Resolution approving execution of a contract for disposition of land by and between the Urban Redevelopment Authority of Pittsburgh and Pittsburgh Habitat for Humanity for the sale of Parcel 57 in the 5th Ward of the City of Pittsburgh in Redevelopment Area No. 32 (Residential Construction). Robert-Devilliers Project."

Which was read.

Also,

Bill No. 2664

A Resolution entitled, "Resolution authorizing

the Urban Redevelopment Authority of Pittsburgh to acquire the following properties in the City of Pittsburgh under the Residential Land Reserve Fund, said properties having been certified as blighted by the Vacant Property Review Committee and the Planning Commission of the City of Pittsburgh: 18th Ward, 3-J-136 and 3-J-138; 20th Ward, 35-E-187; 21st Ward, 7-B-260."

Which was read.

Also,

Bill No. 2665

A Resolution entitled, "Resolution approving execution of a contract for disposition by sale of land by and between the Urban Redevelopment Authority of Pittsburgh and the below listed redevelopers for the sale of the following properties in the City of Pittsburgh (sideyards). 18th Ward, 3-J-136, 3-J-138; 20th Ward, 35-E-187; 21st Ward, 7-B-260."

Which was read.

Michelle Madoff:

On Bill 2665. My administrative assistant Bill Urbanic has got a call on and we haven't had an answer yet. It seems that the side yards are on two different streets. Its confusing and we'd like to hold it a week to get the answers.

The Chair:

You're question again is.

Michelle Madoff:

We want to hold it a week.

The Chair:

You would like to hold it a week.

Michelle Madoff:

There's a problem as to where the streets are. It has not been clarified whether its one lot, two lots two different streets. We just want to clarify. Maybe absolutely nothing wrong we don't know.

The Chair:

Is there a motion to recommit?

Michelle Madoff:

So moved.

Mr. Cohen seconded the motion.

Mr. Onorato:

That's Bill 2665. There's several other properties on there. Do you just want to delete the one property or recommit all of them.

Michelle Madoff:

Just do the whole thing. It gets to complicated when we take one piece out of the other. Because its obviously being bought by the same.

Mr. Ferlo:

There are companion bills to this.

Michelle Madoff:

Where are the companion bills?

Mr. Perry:

Bill No. 2664.

Michelle Madoff:

We'll have the answer today. We've been waiting for the answer at the phone. Bill just came in now. We still don't have it.

The Chair:

There's a motion on the floor and a second. Is there any more discussion or amendment.

Mr. Smith:

Is there a way that we could not detain the properties? I support Mr. Onorato in his question of should we stop everyone else?

Mr. Ferlo:

Make a motion to suspend the rules and delete those properties.

Michelle Madoff:

The one that we're interested in.

The Chair:

Yes there is a way Councilman.

Michelle Madoff:

Richard Shiring's property. Just the two properties.

The Chair:

We are withdrawing the motion to....

Michelle Madoff:

Just the 18th - just the Shiring. That will be back on next week.

Mr. Ferlo:

No Councilman should be allowed an unwritten amendment to be offered.

Mr. Cohen seconded the motion.

Mr. Ferlo:

Now there are two bills in relation to this legislation.

Michelle Madoff:

Yes. We're deleting it from the two Bills. 2664 is it Mike and 2665. They'll be back next week. The problem is getting answers from the Administration.

The Chair:

The motion is to delete the two properties. One on Bailey Avenue and one on Kambach Way from the resolution in front of us.

Mr. Ferlo seconded the motion.

The Chair:

Those bills have been amended through that deletion.

Also,

Bill No. 2666

A Resolution entitled, "Resolution authorizing the Urban Redevelopment Authority of Pittsburgh to condemn and acquire all of the City's right, title and interest, if any, in and to the

following publicly-owned property in the City of Pittsburgh, under the Residential Land Reserve Fund, said property having been certified as blighted by the Vacant Property Review Committee and the Planning Commission of the City of Pittsburgh. 6th Ward, 26-C-19."

Which was read.

Also,

Bill No. 2667

A Resolution entitled, "Resolution approving execution of a contract for disposition by sale of land by and between the Urban Redevelopment Authority of Pittsburgh and David Bartczak and Debra Bartczak for the sale of the following property in the City of Pittsburgh (sideyard). 6th Ward, 26-C-19. Property located on Melwood Avenue."

Which was read.

Also,

Bill No. 2668

A Resolution entitled, "Resolution authorizing the Urban Redevelopment Authority of Pittsburgh to condemn and acquire all of the City's right, title and interest, if any, in and to the following publicly-owned property in the City of Pittsburgh, under the Residential Land Reserve Fund, said property having been certified as blighted by the Vacant Property Review Committee and the Planning Commission of the City of Pittsburgh. 12th Ward, 125-H-284A. Property located on N. Murtland Street."

Which was read.

Also,

Bill No. 2669

A Resolution entitled, "Resolution approving execution of a contract for disposition by sale of land by and between the Urban Redevelopment Authority of Pittsburgh and Shiloh Baptist Church for the sale of the following property in the City of Pittsburgh (Parking Access). 12th Ward, 125-H-284A. Property located on N. Murtland Street."

Which was read.

Also,

Bill No. 2670

A Resolution entitled, "Resolution authorizing the Urban Redevelopment Authority of Pittsburgh to acquire that property in the 10th Ward of the City of Pittsburgh owned by Stanislaw Sydoryk, and designated as Block and Lot 50-R-7 in the Deed Registry Office of Allegheny County, under the Residential Land Reserve Fund, said property having been certified as blighted by the Vacant Property Review Committee and the Planning Commission of the City of Pittsburgh. Property located on Penn Avenue."

Which was read.

Mr. Ferlo:

I'd like my comments brought forward on this bill.

The Chair:

I would also like my comments brought forward.

(REMARKS ON FOLLOWING PAGES)

(MR. FERLO'S COMMENTS ON BILL NO. 2670--Wednesday, 6/9/93)

Mr. Ferlo:

Move for approval for purposes of discussion.

Mr. Onorato:

Second.

Mr. Ferlo:

Who are the principles of AHI Development and is there a reason the legislation says "and/or" instead of --

Mr. Birru:

We are discussing right now with both Garfield Jubilee, Action Housing, as well as Bloomfield/Garfield.

Mr. Ferlo:

Who is AHI Development?

Mr. Birru:

It should be AHI.

Mr. Cohen:

Action Housing, Inc.

Mr. Ferlo:

AHI is not Action Housing. This legislation is intended to be Action Housing?

Mr. Birru:

Yes.

Mr. Ferlo:

Okay. I know what Action Housing is, I have never heard of AHI.

Mr. Birru:

We can hold it.

Mr. Ferlo:

No, no. That is fine.

Mr. Cohen:

It suddenly became a private developer. But that is what you intended to --

Mr. Birru:

It is a subsidiary of Action Housing.

(End of remarks.)

(Transcribed by Helen L. Kriebel, Stenotype Reporter)

Also,

Bill No. 2671

A Resolution entitled, "Resolution authorizing the Urban Redevelopment Authority of Pittsburgh to acquire all of the City's right, title and interest, if any, in and to the publicly-owned property in the 12th Ward of the City of Pittsburgh, designated in the Deed Registry Office of Allegheny County as Block 125-G, Lot 13, under the Industrial Land Reserve Fund. Property located on Kelly Street."

Which was read.

Also,

Bill No. 2672

A Resolution entitled, "Resolution approving execution of a contract for disposition by sale of land by and between the Urban Redevelopment Authority of Pittsburgh and St. Francis Health Care Services for the sale of Block 125-G, Lot 13 in the 12th Ward of the City of Pittsburgh (parking). Property located on Kelly Street."

Which was read.

Also,

Bill No. 2698

A Resolution entitled, "Resolution approving a conditional use under Section 993.01(a)A(33) of the City of Pittsburgh Code, Title Nine, Zoning, Article V, Chapter 993, as amended, to Arch Court, Inc., for authorization to construct a four-story structure with thirty-nine (39) units of housing for the elderly and one for a resident manager on a vacant site located at 1310 Arch Street, with parking to accommodate four (4) automobiles, on property zones "R4" Multiple-Family Residence District, 22nd Ward."

Which was read.

Also,

Bill No. 2700

A Resolution entitled, "Resolution authorizing the Urban Redevelopment Authority of Pittsburgh to pursue a tax incremental financing proposal for the Pittsburgh Technology Center."

Which was read.

Mr. Ferlo:

On Bill No. 2700. This is the Administration's proposal from the Urban Redevelopment Authority authorizing the URA to continue the pursuit on the tax increment financing proposal in relation to The Pittsburgh Technology Site, specifically efforts to bringing Union Switch and Signal and a parking garage that is requested.

There was a lot of discussion. I would like my comments brought forward. I am concerned that if this becomes a lengthy process because the resolution today only authorizes them to pursue discussion with the County and the School Board around what this proposal should be. What and if they come back with a formal package. It would require a public hearing from this City Council and possibly other bodies. Probably not the Commissioners but I would imagine the School Board would have to hold some kind of a public hearing.

I'm just concerned that we not in anyway jeopardize what is the first major important developments of the site. This is a site that's languished away for more than a decade to a \$30 million investment, the Second Avenue site. We finally see some light at the end of the tunnel. I'm just concerned that the Administration at some

point if this tax increment financing proposal gets bogged down that they quickly switch gears if need be either with capital funds or state funds or whatever other financing package can be proposed that's reasonable.

I hope that they're not locked into this. If they are locked into this. There's some light at the end of the tunnel and we will not in anyway jeopardize whatever the projected time table is for Union Switch and Signal and the parking garage that's being suggested. I hope that that sort of sets of tone for making sure that we actually bring this back to Council in some reasonable time not in anyway to jeopardize an important development project.

Mr. Cohen:

Thank you Mr. President. I wanted to make a similar comment about the same bill. If you recall the URA has come before Council twice with respect to tax increment financing. The last one was for the Station Square Road. That was approximately a year ago. They said that they were going to use tax increment financing to finance that road and then hit a road block. It didn't go through.

I share Councilman Ferlo's concerns. It seems that everytime URA comes to us with tax increment financing that make it seem like its a grand and glorious idea that's going to go through. It is a great idea. But unless the School Board and the County sign onto it its not going to happen. So I think perhaps with the passage of this legislation we should also send a message to the URA that they ought be looking at alternatives because we wouldn't want to lose a tremendous development like Union Switch and Signal.

The Chair:

We have to adopt new innovative ways of

attracting business. This is one of those ways.

Mr. Ricciardi:

Thank you Mr. Wagner. Just on that note I had an opportunity to speak to Barbara Burns who is the President of the School Board and I know for a fact they've been having discussion with the URA and the City of Pittsburgh. According to her they are very interested in exploring this possibility. So I think we have received a positive sign from the School Board and hopefully it will continue along that path.

Also,

Bill No. 2701

A Resolution entitled, "Resolution approving execution of a Contract by and between URA and RIDC for the sale of land in the 4th Ward of the City of Pittsburgh - Redevelopment Area No. 50 (construction of offices and research center)."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen
Mr. Darksins
Mr. Ferlo
Michelle Madoff
Mr. O'Connor

Mr. Onorato
Mr. Ricciardi
Mr. Smith
Mr. Wagner
(Pres't)

AYES 9

NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Mr. Smith presented

Bill No. 2778

Report of the Committee on General Services for June 9, 1993 transmitting two resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 2719

A Resolution entitled, "Resolution authorizing the Director of the Department of General Services, in his capacity as the Superintendent of the Bureau of Cable Communications, to file documentation with the Federal Communications Commission and to take other action required to certify the City of Pittsburgh to regulate rates for cable television service, installation and equipment." ---**(SPONSORED BY MR. COHEN)**

Which was read.

Also,

Bill No. 2720

A Resolution entitled, "Resolution authorizing the Director of the Department of General Services, in his capacity as the Superintendent of the Bureau of Cable Communications, to file a complaint with the Federal Communications Commission challenging the reasonableness of the rates of TCI of PA, Inc. for cable programming services and for installation and rental of equipment for said service."

---(SPONSORED BY MR. COHEN)

Which was read.

Mr. Cohen:

Thank you Mr. President. I'd first like my comments brought forward on the Bills from last Wednesday. Then I'd like to move to amend the first of those Bills, Bill 2719. I believe that everybody has a copy of that amendment.

(REMARKS ON FOLLOWING PAGES)

(MR. COHEN'S COMMENTS ON BILLS NO. 2719 & 2720 - 6/9/93)

Mr. Cohen:

Discussion. Members of Council, these two bills as I mentioned yesterday initiate the process by which we can assert regulatory authority over TCI's cable television rates.

Brother Richard Emenecker is out of town today, but I do want to thank him and also Ashley Schannauer of the Law Department and Dave Farley, our lobbyist, for attending the post agenda session that we had last Wednesday. I think it was a very productive session. I especially want to thank Brother Richard for doing an excellent job of distilling over 500 pages of regulations into a concise report to City Council.

The first bill, Bill No. 2719 directs Brother Richard to file the necessary papers to have Pittsburgh certified by the Federal Communications Commission. We have to move quickly on this, which is why I asked that Rule 8 be waived here, because the freeze on TCI's rates expires on August 3rd. So in order to keep that freeze into effect, we have to, first of all, pass these bills. I would suggest we make them effective upon the signature of the Mayor, submit the appropriate document to the FCC. And the FCC certification form, by the way, is in the back of the report that Brother Richard sent to us. Luckily, it is an easy form; basically six yes/no questions that we can answer all six.

Michelle Madoff:

If you are implying if it is complicated that this Council couldn't deal with it --

Mr. Cohen:

It makes it easier, Michelle.

The FCC then has to act on our application, and under the law they have to act on it within 30 days. And then once we get their approval, we then have to notify TCI of Pennsylvania, our cable company, that rates will be regulated. That notification puts the freeze back into effect so that TCI cannot raise rates until the process for rate regulation truly begins.

Certification means that we can begin that process of regulating basic service, installation and equipment, equipment including the remote control devise.

Since 1986 the basic service rate of TCI went from \$5.75 to \$12.65, a 120 percent increase, and then back, I think in anticipation of this rate regulation, it is now at \$10.75.

Michelle Madoff:

No; their service was cut.

Mr. Cohen:

Even with that, it is an 80 percent increase of 1986, which is far in excess of the inflation rate.

As I mentioned at yesterday's Council meeting, everybody pays the basic rate, even if you have expanded basic service, everybody pays that basic rate of \$10.75, and then the people who have expanded basic, which is 96,000 subscribers, they pay an additional \$11.25, for a total \$22.00.

The remote control unit was discussed a little bit yesterday, and the charge for that unit is way out of line. For the price of a piece of equipment that sells retail for approximately \$20.00, TCI charges \$3.00 a month rental. So if you have had cable television, say, since 1983, you have paid \$360.00 for that remote control device, and this certification bill will also help us to control that rate.

The second bill, 2720, directs Brother Richard to file a complaint on behalf of the City of Pittsburgh objecting to and challenging the reasonableness of TCI's current expanded basic rates. And this initiates the FCC's review of TCI's expanded basic rates. We want to be one of the first cities in the country to file, so that the FCC can process and review our complaint in a timely fashion.

TCI's expanded basic rate increased from \$10.45 in 1986 to \$22.00 now; that is a 120 percent increase. The reason I reached back to 1986 is because cable was de-regulated by Congress in 1984, but they put a 5 percent cap on for the first two years after de-regulation, and TCI took advantage of that; they increased 5 percent in 1985 and 5 percent in 1986. Since that time it has gone up 120 percent. That is incredible.

Michelle Madoff:

Good bill. Can we vote on it?

Mr. Cohen:

Yes. TCI has had unfettered right to set rates since that cable de-regulation in 1984 and they have abused that right. One hundred-twenty percent increase in rates in just six years is outrageous and it cries out for government to step in. If there was any competition in this industry, then we wouldn't need to do this, because competition would give a natural restraint on rates.

Michelle Madoff:

Unless there is collusion.

Mr. Cohen:

That is true. But there isn't any competition, TCI has

completely taken advantage of this monopoly status, and I think this is a good first step. So thank you for your indulgence.

(Deleted testimony.)

Mr. Cohen:

Let me make one brief comment on that. In order to become certified, we have to show the FCC that we have the legal authority, the adequate personnel and regulations consistent with the law and the FCC regulations, so it is really adequate personnel I think that gets to that question that you have, and I don't think there is any dispute that we have that; right, Director?

Ms. Conturo:

I think that is right.

(Deleted testimony.)

Mr. Cohen:

I can speak to that. It really depends -- on the first question, it depends whether they file under bench mark status or cost of service status. The FCC has provided bench mark prices per channel -- and by the way, it is not per tier, whether it is basic or expanded basic, but it is per channel. So once we notify TCI that we are prepared to regulate their rates, they have to make a decision whether to file under the bench mark or file under cost of service. If they look at the bench marks and see that they exceed those bench marks, they will probably file, I would assume, under cost of service. One of their arguments could be that they have a double wire system which might cost them more. I would suspect that would be the argument they would make. If they file under cost of services, then we can ask for a great deal of documentation from them to demonstrate what their costs really are, so that is where we would get into a review of a lot of their finance records. Even under bench mark, though, there are some costs they have to submit to the city.

(Deleted testimony.)

Mr. Cohen:

What they do is they have a whole list of costs and factors that they take into account when determining the bench mark, and I believe -- we have to look at this more thoroughly -- but I believe that many of those costs are costs that are for the local market, so that that would mean that the Pittsburgh bench mark, say, would be different from the New York City bench mark.

But at the same time, it is a bench mark that is established by the FCC and we have to follow those guidelines, unless they file under cost of service.

Mr. O'Connor:

There will be guidelines, I imagine, for different parts of the country.

Is this going to open the door to competition, a second party can come in?

Mr. Cohen:

Doubtful. This is just my opinion. The agreement, by the way -- and our law says that -- it doesn't say that we have to have one exclusive cable company. So legally, I believe Mary, you could endorse this, we have the right to have agreements with other cable companies. The problem, of course, is the capital cost that it takes to put facilities in for a competing cable company. Those are enormous costs. I think that probably the one company that is looking toward it is the telephone company.

(Deleted testimony.)

Mr. Cohen:

No. It is up to TCI. At the post agenda meeting last Wednesday, Brother Richard committed to filing for certification by June 30th; that is easy, and frankly, there isn't much leeway with that. There are six yes/no questions that we can answer yes to all of them. So I think we should certainly hold him to the commitment to file it by June 30th. By the time we pass this bill finally and get the Mayor's signature, and the form, the official form, isn't going to be ready, we can't file before June 21st. I think that date is a reasonable date.

On the other bill for the filing of a complaint with the FCC, I agree with you and I think that we have to oversee the Administration to make sure that complaint is a strong complaint, because we are actually challenging the reasonableness of their rates.

(Deleted testimony.)

Mr. Cohen:

Let me say this: Brother Richard really has worked very well with me so far and has committed to making these filings challenging the rates. So I haven't noticed any hesitation on his part.

(Deleted testimony.)

Mr. Cohen:

No. The FCC holds exclusive right on reviewing the expanded basic rate. By the way, anybody can file a complaint, any citizen of the City of Pittsburgh could file it. I thought it would be a good idea for to us take the lead and for city government to file it. But once we file that complaint for the expanded basic service, the FCC will then review that upper tier and they will use guidelines that they have not yet published, so it is really solely within their discretion.

(Deleted testimony.)

Mr. Smith:

Just a quick question. Can we be denied by the FCC the right to regulate this cable?

Mr. Cohen:

They could if they wanted to. I have had some contact with the FCC already, they are not going to deny us certification. As a major American city who files this in the appropriate manner, they will definitely certify us. They have the power not to, but we have been told already that they will certify us.

Mr. Smith:

If we don't meet the deadlines, will they not certify us?

Mr. Cohen:

That is a very legitimate question, and if we don't meet the deadline, yes, they would have that prerogative not to certify us. There is no specific deadline for the application for certification.

(Deleted testimony.)

Mr. Cohen:

My advice to Council right now is I don't think we need to do that right now. I think that by passing these bill we are giving a directive and an order to Brother Richard Emenecker. He has a deadline. He has to have both of these filed by June 30th. If he fails to meet that deadline, then I think we should seriously consider an alternative course. Until that happens, I think we should allow him to move forward.

(End of remarks.)

(Transcribed by Helen L. Kriebel, Stenotype Reporter.)

Mr. Cohen:

The amendment is a really technical amendment that the Law Department asked for and adds the words "and enforce standards after regulating rates" This is the Bill that ask the Federal Communications Commission for certification of the City of Pittsburgh to be able to regulate rates. This amendment would make clear that the City wishes to assume authority over all matters related to cable. The City Law Department did give me some examples. For example installation and service calls, cable system hours etc. So I think that this amendment would reflect the regulations from the FCC.

Mr. Ferlo seconded the motion.

Mr. Cohen:

Thank you Mr. President. On both of these bills I'd just first want to thank Council for moving so expeditiously on these two Bills to enforce regulations to regulate cable rates. We had a preliminary approval last Wednesday and hopefully a final approval today. Unfortunately we can't say the same for the United States Congress. In a irresponsible show of inaction. Congress failed to appropriate the money necessary to impement the Cable Act of 1992, the very Act that Congress passed. The FCC asked Congress for approximately \$12 million to enforce the Act. Then Congress failed to respond. So as a result rate relief that consumers have been demanded for years have been put on hold for at least 3 months.

Its really amazing to me that Congress could be so irresponsible as to pass an Act and not allocate the money necessary to enforce that Act. Compared to the savings to consumers the cost is not a large cost. According to the FCC this delay, this 3 month delay could cost cable customers nationwide \$250 million. In the City of Pittsburgh if the FCC and City Council say were

to find that the cable rates were a mere \$1.00 more than should be. We don't know what that's going to be but say its just a dollar because I think it will probably be more than that. That inaction by Congress for three months would cost City of Pittsburgh customers \$300,000. The good news is that the freeze on cable rates will remain in effect until October the 1st by which time the FCC hoax. I underline hoax that Congress will grant the money for them to enforce this Act. This is by no means assured.

Along with the vote for this Bill, Mr. President, if it is procedurally in order to do this now, I'd like to move that we send a strongly worded message to our Congressman and also to the entire Pennsylvania Congressional Delegation demanding that they take action to provide the FCC with the money that they need as quickly as possible to enforce these regulations because they're dragging their feet in a way that really hurts cable customers.

At the same time I think we should send a letter to Brother Richard Emenecker, the head of our Cable Bureau asking that he provide us with an updated schedule. If you recall Brother Richard provided us with a report that included a schedule. That schedule is now not affective because of Congress's inaction. So if we could send a letter providing us with an updated schedule.

Last I think we should send a letter to TCI asking it to reexamine its rate structure and its equipment charges during this transition period in anticipation of Council action. One thing that they should do immediately is to reduce the charges for the remote control device. That was an issue that we discussed both at the post agenda meeting and at the meeting last week. TCI charges \$3.00 a month for that remote control device. So if you have that device often referred to as the clicker, if you have that for ten years you pay \$360.00 for that device. This is many, many

times greater than the cost for the device and absolutely unfair to cable customers. This remote control here was purchased at a local store for \$16.99. Its advertised in the City, this is another advertisement from another local store where you can get a remote control device for \$14.97. Brother Richard Emenecker just came back from a cable conference where they provided this brochure which has all the remote controls you'd ever want to see. But the remote control is sold to TCI, he learned there that the remote control is sold to TCI for \$12.00. Again this is a device that's being rented to cable customers for \$3.00 a month or \$36.00 a year. Obviously, that is in far, far excess of their cost.

So Mr. President if we could I'd like that we move that we send those three letters to U.S. Congressional Delegation, to Brother Richard and to TCI along with the passage of this Bill.

The Chair:

How about if we vote on the Bills and then have a quick vote on the letters for procedural reasons.

Mr. Cohen:

Thank you very much.

Mr. Onorato:

I'd just like to comment on the bills. There has been a lot of discussion on talk shows and the media this is additional regulation and we don't need that. I want to clarify that this isn't additional regulation this is a change in regulation from the Federal Government to the Local Government. It's just a change on who is actually going to do the regulating. We can't ignore the fact that this was brought on by a company that took advantage of a situation of being the only operator in a particular area.

We can talk about the remote control

which is totally outrageous charging that \$3.00 every month. I still have in my room petitions of two thousand senior citizens just in my district alone and that was just by showing up at senior events. I'm sure we could quadruple that over the City of seniors saying that they are being gouged by one company and that they need some help. It was very frustrating as a local elected official that we couldn't do anything.

The fact is that the regulations will not affect this company if they act reasonably. Now they know that the control is locally with the same body that gave them the right to operate here. So I think it is a very positive move that this Council is very reasonable and that if TCI is reasonable it has to have increases because of cost they will be reviewed. But if they act unreasonably with these charges for pieces of equipment that go on forever they are going to be regulated and its going to be under control and hopefully one day we do have the competition that everyone's talking about but currently that can't happen. But it will happen sometime in the future.

TCI actually has some control here too. We're just asking them to be reasonable and I think this legislation will actually put them on notice that people are watching locally.

Mr. O'Connor:

Does our Cable Commission have the power to bring them to the table and answer some of these questions with us? Such as not only the equipment at \$3.00. I have a lot of people calling me about billing. They bill 15 days before they buy the product. I mean no other service is like that and incidentally my wife called, we were going to buy for a senior citizen friend of ours to put cable in and she asked what the price would be. It was \$10.00 over the phone but if you called the sales department it would be \$29.95.

I mean there is two prices right there over

the phone. So something is wrong with this company and I think we ought to have a post agenda or a public hearing to get to the bottom of it.

The Chair:

I think we should pursue the legislation that's in front of us and the letters that Councilman Cohen has suggested. At the same time ask our Cable Advisory Committee to look into further detail of the request that have been made. That's the purpose of that committee.

Mr. O'Connor:

Let's let them do it but I think I've never gotten any reports from them. So maybe that could answer some of our questions in writing.

Mr. Cohen:

Thank you Mr. President. Just on one of those issues Mr. O'Connor. We did get an answer from the Law Department on the question of whether we could prevent TCI from charging cable customers in advance for service that they haven't received yet. I'd like to get you a copy of that memo if haven't seen it already. The Law Department says that we can't do that because its part of the contract between the City and TCI.

I think that we should have further discussion with them on that because that's another just amazing thing that TCI does that's irresponsible that charges us in advance. But anyway we did get a response from the Law Department on that. I think that we should look at it and have a discussion with the Law Department to see if there's anything we can do on that aspect.

Mr. Ferlo:

TCI has no redeeming qualities and I hope the phone company gets into the business

and starts initiating some competition.

The Chair:

On the three letters that Councilman Cohen has suggested to our Congressional Delegation and the Commonwealth, to Brother Richard and to TCI and also Mr. Cohen the Cable Advisory Committee.

Mr. Cohen:

The letter to Brother Richard should also go to the Cable Advisory Committee. By the way I believe that they had a meeting last night where Brother Richard informed them of Congress's inaction. So they are up to speed on everything.

Mr. Ferlo seconded the motion.

WHICH MOTION PREVAILED.

The Chair:

Is there any further discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. Onorato
Mr. Darkins	Mr. Ricciardi
Mr. Ferlo	Mr. Smith
Michelle Madoff	Mr. Wagner
Mr. O'Connor	(Pres't)

AYES 9

NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Mr. O'Connor presented

Bill No. 2779

**Report of the Committee on Parks and Recreation
for June 14, 1993.**

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 2571

A Resolution entitled, "Resolution authorizing and directing the Mayor and the Director of Parks and Recreation to enter into a Lease and Agreement with Phipps Conservatory Inc. in connection with the taking over of the conservatory operation by Phipps Conservatory, Inc. and payment by the City to Phipps Conservatory, Inc. of \$2,100,000 from Conservatory Trust Fund, Code Account PCTF, during the term of the lease."

Which was read.

Mr. O'Connor:

**Motion to amend Bill No. 2571 by
substitution.**

Mr. Ferlo seconded the motion.

WHICH MOTION PREVAILED.

Mr. Smith:

After our discussion yesterday at the table and which we went point by point for changes this morning the lease agreement that we got did not contain some language that had been agreed to at the table. I'm offering an amendment to Bill No. 2571 in the lease agreement section to .03 by adding and everyone should have received a copy. "The tennants shall comply with all

applicable regulations, ordinances and executive order of the City of Pittsburgh regarding the affirmative action employment goals."

Mr. Ferlo seconded the motion.

WHICH MOTION PREVAILED.

Mr. Ferlo:

Two other amendments. First of all I do thank the Administration for synthesizing the comments at the committee session. There are roughly nine addition amendments which we just accepted. They deal with alot of the issues around the environmental liability discussions around the parking island. Most importantly that Council approval would be required for any expansion on to the front lawn as well as any other major alterations to the site, be they the real parcel or any other major construction activities and that wasn't the case prior to that. They clearly stated the issue of the sale of the art pieces which was of concern and there was comments and discussion on this whole issue of the strategy on the regional asset district formation.

I think the language is not specific but at least implies a goal or policy that in the event that hopefully some legislation is forthcoming from the state on the creation of regional asset district. Mr. Onorato spoke about this also that there would be a coordinated effort with the leadership of this institution. The aviary and some of the others.

**Two other amendments I want to suggest.
One is on page--**

Mr. Onorato:

On what you just discussed on the regional asset district. Its only a typo but I want to make note of it so it gets corrected. On page 29 they make reference that the tennant agrees to

cooperate. It says with the tennant. It should be with the landlord. I don't think it has to be an amendment. Its just a typo on the amendments that were made and it should be noted.

Mr. Ferlo:

The resolution does allow the Solicitor to change any type of typographical errors.

On page 13 I think we should move one small section if you have a copy of the revised draft agreement which we're proposed to accept. On page 13, towards the bottom section 3.03 this involves City Council giving approval. I think we should delete the part that's underlined where it says "which approval will not be unreasonably withheld".

My motion is to delete "which approval will not be unreasonably withheld".

Mr. Ricciardi seconded the motion.

Mr. Ferlo:

This should be clearer. Either Council being asked to review and ultimately approve or disapprove or its not. If we disapprove I assume we're going to do that for just cause. Either because of aesthetics or construction or community oppostion or all the other issues and all the other reasons why Council either approves or disapproves things in the past be they historic designation or expansion under conditional use applications. Approval or disapproval of historic designation.

I think we should remove that sentence. Its unclear its judgemental its ambiguous. I think we should either prove and have the ultimate authority or we should not. I think majority feel that we should.

My motion is to delete the part that says

"which approval will not be unreasonably withheld".

Michelle Madoff seconded the motion.

Michelle Madoff:

I would like to ask the Law Department or someone who is qualified to speak on this issue. I have been the strongest proponent of public/private partnerships and getting this, the Aviary, the Conservatory and the Zoo, the monkeys back off the public. I wouldn't want to do anything that would jeopardize it and I've been told that this in effect negate the legislation. I would like an opinion from the Law Department.

Mr. Onorato:

I would like to respond to that. The exact same problem came up when we were doing the lease with Allegheny General Hospital. The exact same language was there. It was removed and replaced with "reviewed the City shall approve or disapprove within let's say a 60 day time period". So we added the words "or disapproved within 60 days" because the concern was that the approval could just be out there forever and no one would make a decsion. You put a time limit on the approval or disapproval just so that the institution has a chance to know which way we're going yes or no. I have no problem if you want to add in writing.

What's in there now is the City Council approval. If this is the Administration also reviewing it they should be under the 60 day time frame also.

Mr. Ferlo:

Excuse me. The legislation right now with my amendment still requires a 60 day review and approval by either the Administration or City

Council. I'm only removing this ambiguous language which does not Council's role. Council should with approve or disapprove for whatever just cause that Council's decides some day in the future it has.

If Council decided it did not want the institution to expand onto the front lawn for aesthetic reasons or historic character of the property or whatever the reasons are. It can decide that and not approve it. Period. It needs to do that within the 60 days. I'm not changing the 60 day period.

The Chair:

We have a motion on the floor to delete the words "which approval will not be unreasonably withheld" and a second.

Michelle Madoff:

We don't want to delete unless we have a substitute. I think we have to tie the two together. If we delete will we go with a substitute that has been put forward by Mr. Onorato?

Mr. Ferlo:

Excuse me. If everyone would just read the bill then we would know what we're talking about. The bill explicitly states that there's a time period in which Council would conduct this review on approval.

Mr. Cohen:

There is also a time period for the Department of Engineering and Construction.

The Chair:

Councilwoman Madoff. Does that satisfy your request?

Michelle Madoff:

May I just conference with Mr. Onorato for a moment.

Mr. Onorato:

Its okay. Its in there.

Michelle Madoff:

Let me be direct. I think this is very important. I was informed by the Administration, not one of my favorite people, that this would damage the contract and before we signed off on it I thought it was important to ask the question. I have asked the question and I gather that it would be acceptable.

The Chair:

Well there's a motion and a second.

Michelle Madoff:

Could I hear from the Law Department please. I want to be sure that before I sign off on something with my vote that I understand what the Administration has put forward. Its too big an issue.

Mr. Ferlo:

Point of clarification since it is my amendment. This section of this agreement fixes or creates time constraints for the Administration's review of any major expansion to the facility. It also creates a time constraint of 60 days for this Council to give consideration and review. I'm only changing and taking out ambiguous language which. I don't even know why its there. Either Council has the power to approve or disapprove of expansions or it doesn't. I think this Council should retain the power to approve or disapprove of major

expansion be it until the front lawn or whatever's going to happen to the backside and may infringe upon Panther Hollow. Whatever it is that's going to be by way of a major expansion. That's already implied in another section of the bill which the Administration doesn't dispute. I don't understand what we are arguing about.

The Chair:

Councilwoman Madoff Mr. Ferlo has clarified this--

Michelle Madoff:

Let me tell what I just learned. I originally asked before Mr. Onorato, who is my dear friend, asked to usurp with the Law Department and I agreed to that. The issue is not a legal one I've just been told. Its is one that might have the Phipps Conservatory not want to go through with the process. Therefore, I respectfully ask to have the Law Department please make a statement or respond to my concerns.

The Chair:

If its a rule of Council to hear this--

Mr. Ferlo:

Let's recommit the bill and not be in such a rush to decide this.

The Chair:

Well if we're going to vote on this Bill today we have to have some thing clarified. I would ask that Mr. Turner speak in regards to this proposed amendment.

Michelle Madoff:

And the Law Department.

Mr. Ferlo:

I just want it known my objection to people speaking.

Mr. Turner:

The issue here deals with the approval process and as a result of a long series of negotiations between the City, the Administration, Council and the Phipps Friends. Ideally, they would have liked to have the approval not requiring Council authorization. Not because they didn't want Council to be a part of it but because of the time involved and because they wanted this to be as removed from any unreasonable activities as possible.

As a result of a long series of negotiations with them they agreed at the table just yesterday with this language. The language that they said at that time which was agreed upon yesterday is that the approval would not be unreasonable withheld. It is a standard type of language. Based upon that agreement yesterday we've prepared this and they have okayed it. If this is deleted then we do not have an agreement. I think that everybody needs to understand that.

Mr. Ferlo:

Either we want this agreement to explicitly state what it is that the roll of majority is in this Council. This agreement by way of an amendment the Administration offered as a result of comments from Council explicitly give City Council approval of major alterations. That's an amendment that was accepted in another portion of the agreement.

In this section which I have not taken out we are locked in. This legislative body in the future has a 60 day review process and approval process. The Administration and Engineering and Construction has 60 days, the City Council

review and consideration is for 60 days. I'm not changing that. I'm taking out this nebulous, ambiguous language about which approval will not be unreasonably withheld.

Mr. Turner:

This was the language that specifically word for word was discussed yesterday and approved and everybody walked away agreeing to it. We are trying to move this forward because, as we said before, every week that there is a delay it cost the taxpayers \$15,000.00 additional, plus they cannot begin the renovation.

Mr. Ferlo:

This language is ambiguous.

Mr. Turner:

This language is standard.

Mr. Ferlo:

This language is ambiguous.

The Chair:

Rather than get into a debate we only wanted an explanation. We've received that. Once we've had the explanation I would like to get this back to a Council meeting.

Mr. Ferlo:

I want to clarify the amendment.

The Chair:

You have done that. On the amendment only.

Mr. O'Connor:

This may address your concerns Michelle. If you go two lines up it said they need a detailed objections in writing within 60 days. If we had something detailed in writing I would imagine that would satisfy them. If you go three lines up.

Mr. Turner:

That is the reviewed process of the Department of Engineering and Construction. Then the following language deals with the approval from Council and the problem that we have is that this language literally word for word is what was submitted yesterday and agreed to. That is what everyone has agreed to to change it now to stop the process.

Mr. O'Connor:

We don't want to unjustly withhold it. I mean that's what they're worried about. Once Councilman holding the Bill for 6 months or whatever. Within 60 days I think that prevents it. I think he saying that and if we could include that it still may fly with them. I think you're worried about it. I don't blame you for worrying about it.

Mr. Turner:

The point I'm making is that yesterday when this language literally word for word, this is what was discussed at the table with the Councilmembers present. This was what was agreed upon. Any change I think may delay it.

Mr. Ferlo:

Point of order. I just want to voice my objection to the process here. I have another amendment which is probably going to be more confusing then the amendment I am offering. I thought is was very basic. I don't see why we're

rushed on this thing. I think we should recommit it so we have the t's crossed and the i's dotted.

The Chair:

The motion on the floor is not recommitment it is an amendment. On the amendment, Councilwoman Madoff.

Michelle Madoff:

May I please follow through on my initial request when I raised the issue. May I please have April from the legal point of view confirm rather that is standard language or not and what the impact would be.

The Chair:

April Marchase please come forth.

Michelle Madoff:

Sorry I called you April but I don't know your last name.

April Marchase:

I'm sorry Michelle. Could you please repeat your question?

Michelle Madoff:

I just wanted you to substantiate as a legal counsel what Mr. Turner has said that it is standard language and will not have an impact. Since two lines before it says we have 60 days to review.

April Marchase:

It won't have an impact in the sense that it will affect the legal viability of a contract. The language is so broad that it would include anything that has arguably a public policy related

interest or reason would be justified under the contract. But it would have some separate affect from the 60 day provision if that answers your question.

Michelle Madoff:

You mean the separate affect would be that since there wasn't negotiated they'll say we don't have the say. We have to go back and think about it now. Is there a change here? We don't want to jeopardize the contract by changing language. You don't think there's anything wrong with the language that the public is protected as it is written in standard form.

The Chair:

Excuse me please. If we're going to bring people to the microphone we're going to let them answer the question.

April Marchase:

That's correct. Any public policy reason would be a reasonable justification for Council to deny its approval. That's what that language is aimed at that there would have to be some kind of justification for Council's denial of the approval of any construction. It is a different provision however than the 60 day requirement and you should understand that.

The Chair:

Thank you April. Okay, let's keep it between Council here and vote on the amendment because there are some other amendments. Any further discussion on the amendment.

Mr. Ferlo:

Either this Council wants to retain and I'm not talking about this Council, we're talking

about Councils for the next 50, 90 years. Either Council wants to retain some input both in the review process and ultimately the approval on major expansions. This is a lucrative deal. We're talking about potential development that really is not even directly related to this institution but could be ancillary to for instance building a major parking garage.

There are all kinds of major development that's proposed or could be proposed for this site that I would hope that this City Council will retain its checks and balances on the approval process. That's contained in another section. This comment here is very ambiguous and implies somehow we may not have the right to deny. The implication here is that we have the sixty days but ultimately we have to give approval. I think its contradictory to the intent. I believe the intent is that Council should retain the right to approve the review and ultimately approve or disapprove of major alterations and expansions. I think this language is ambiguous and contradicts what I think it is the intent of Council. If that is not the intent of Council that's fine. That's certainly my intent. I think Council should retain some input in this whole process.

To clarify I'm not removing the 60 days. Both the Administration and Engineering and Construction and the Council is locked into a review and approval or disapproval process of 60 days, two months, which I think is reasonable to have whatever review needs to happen.

Mr. Smith:

I have a question on the amendment which starts at the word "which". "Approval will not be unreasonably withheld". The addition that was placed in there was "and approval" which is saying that we have to approve the bill. It doesn't say that we make any decision. It says we have to review and approve but on your amendment Mr. Ferlo all your basically saying is that we are not

going to give them the language that will allow them to say whether our decision was just or unjust.

Mr. Ferlo:

Exactly. Its up to this Council or future Council to decide for whatever reasoning whay and expansion should not be proved. It may be detrimental health wise. It may create traffic. It may aesthetically remove some of the open space of the park in terms of the ambiance of the park. I don't know what the reasoning would be. There's a lot of concern that's been expressed by the community about not building onto front lawn but using the back parcel on other sites.

Whatever it is that Council decides is the reason for not wanting the expansion its their prerogative. Every other zoning thing with a conditional use gives us criteria to judge whether or not we want to approve or disapprove of an expansion. On the conditional use we have the elements and the detrimental impact. I don't see why this sentence is in here. Its unreasonable.

The Chair:

Is there any further discussion on the amendment?

And on the question, "Shall the amendment pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Darkins
Mr. Ferlo
Mr. O'Connor
Mr. Onorato

Mr. Ricciardi
Mr. Smith
Mr. Wagner
(Pres't)

AYES 7

NOES 2

(MR. COHEN AND MICHELLE MADOFF
VOTING NO)

And a majority of the votes of Council being in the affirmative, the amendment passed finally.

Mr. Ferlo:

Second amendment. On page 7 in the middle of the sections paragraph D and again Mr. Chairman I resent the fact that I'm put defensively by the director on the defensive posture for making what there characterizing as last minute changes. I mean this whole thing is last minute. I repeatedly asked for more time for this Council to review this agreement and I also think Council should have independent legal advice in reviewing this agreement. We've chosen not to do that.

In any event, on page 7 Section 1.05 my suggestion is that we delete the sentence "Tennant shall be responsible for obtaining any subdivision approval required in connection with such extension upon request of tennant. Landlord will cooperate with tennant and prosecution of any application for such required subdivision approval." This implies that somehow in the future and again it goes back to the lucrative nature of this deal that we are going allow a subdivision of the Mary Schenley deed which I can understand the rationale for that. Not only that we would allow the subdivision of the deed covenant but also that we as a municipality legally would be an advocate for the tennant in a court of law. That would assist them in this matter of supporting a subdivision.

Now if I'm not reading this correctly, I welcome the Administration back to the mike to explain this section further. If not, I would suggest that we delete it for the sake of this action today. If need be we amend it back in if the

Administration can explain what the intent is. But in approving this deal I hope that Council is not supporting subdivisions and supporting the municipality legally being represented in a court of law to support some subdivision. I mean if that has been proposed for the the Schenley Golf Course there would have been a revolution. I hope that that's not what we're proposing here.

The Chair:

There is an amendment to delete Section D.

Mr. Ferlo:

Section D the tennant should be responsible for payment. I'm not disputing about the City reimbursing them on detransfer tax. That seems fair. Just the sentence that begins tennant shall be responsible for obtaining subdivision. I would delete that.

Michelle Madoff seconded the motion.

The Chair:

Just those words.

Mr. Ferlo:

The complete sentence.

The Chair:

The complete sentence. Tennant shall be responsible for obtaining any subdivision and approval required in connection with such extension.

Mr. Ferlo:

Upon request of tennant the landlord will cooperate with tennant in the prosecution of any application for such required subdivision

approval.

The Chair:

There's a motion to delete and a second.

Mr. Cohen:

Thank you. I agree with this amendment. I don't think that we should be binding our hands in the future with respect to subdivision. Subdivision is really a general term that could apply to lots of different possibilities depending on what they want to subdivide for. I think this language that's in the original lease really binds our hands in the future to cooperate in other words to support the tenant's position. I think that undermines the landlord's position and we shouldn't bind our hands for the future.

Mr. O'Connor:

I believe that this is only a technicality because if it would come before the Planning Commission such as building and education center. Also because of the length of the lease is over 29 years. That's a technicality I was told. It may have to be subdivided in the Planning Commission. I want to make it clear that nothing in this whole Bill affects the Schenley will. Anything can be negated if we would break this Schenley will for any reason or any cause. As you're alluding to but in the contract it says we cannot touch the Schenley--everything in this thing falls under the conditions of Mary Schenley will.

We can go along with it I think I'm not the attorney here but I think that's why it was put in.

Mr. Smith:

Question. The first sentence that says "tenants shall be responsible for payment of any real estate transfer tax imposed for extensions",

could one of my learned colleagues explain to me? As far as I am a lay person when there is real estate transfer tax payment due that means title is changing to some property.

Now we are in direct conflict with that sentence with the Mary Schenley deed. We are actually creating the idea that we will permit a transfer of this at some point in the future?

The Chair:

First off that's not part of the amendment.

Mr. Ferlo:

Just in response. I tried to initiate that discussion yesterday when I asked questions about whether or not property tax is going to be paid by this institution. I felt because of the way this was worded that the County and others could determine that indeed this is no longer the public's City but a non-profit entity who would be responsible for property tax.

I believe they feel that they worded this lease in terms of the ten year of the leasing agreement such that that would not kick in. If however they go past the 29 year period and start the second option there may be an interpretation that actually what we have done is not created a lease but actually transferred property. At that point there would be probably an effort by the State and others to insist that the deed transfer tax be paid.

What this agreement states, however, that if in the future deed transfer tax's are obligated to be paid by the tenant we would then immediately reimburse them for that revenue that we would receive as a way of helping this deal financially.

It does set up a contradiction here in terms of this notion of whether or not we are or are not

actually transferring property. I think that's an outstanding legal question that we should get clarified. Unfortunately we're not going to clarify it between now and the final vote. So I would at least like safeguard this notion of the subdivision. But I do think legally we need, even if we approve this today, that should be a legal question that we ask the Solicitor or our own Solicitor to determine.

The Chair:

Other comments on the amendment?

Mr. Smith:

On the amendment. Under there you say that "landlord will cooperate with tenant and the prosecution of any application for such required subdivision of approval". I'm sitting here ignorant and being rushed into this. We're creating a lease and we are the owners of it. Why would there be a necessity for subdivision approval?

Mr. Ferlo:

That's the point I'm trying to express here.

Mr. Smith:

If we have to give some subdivision approval then does that relate to them being able to use the legal arm and take the property from us due to a perceived this is not a lease and perpetuity. I have a problem with even your amendment, Mr. Ferlo.

Mr. Ferlo:

I have a problem with the whole lease. I'm trying to make it more palatable in terms of the fact that we are authorizing and by this clause we are agreeing theoretically that we would support not only a subdivision of the parcel for

whatever reason I'm not even sure. Not only would we support the subdivision but we would be a legal advocate as a municipality in a court of law to support a subdivision. I don't know if that means at some point arguing in a court the interpretation of the Mary Schenley deed or not. I don't know. Its not clear what this clause is.

My suggestion is that we least delete the subdivision language.

The Chair:

Is there any further discussion on the amendment?

And on the question, "Shall the amendment pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. O'Connor
Mr. Ferlo	Mr. Onorato
Michelle Madoff	Mr. Smith

AYES 6

NOES 2

(MR. RICCIARDI AND MR. WAGNER VOTING NO)

And a majority of the votes of Council being in the affirmative, the amendment passed finally.

Mr. Cohen:

Just like my comments brought forward Mr. President, please.

Mr. Ferlo:

I'd like my comments brought forward.

Mr. O'Connor:

I'd like my comments brought forward.

Mr. Onorato:

I'd like my comments brought forward.

The Chair:

I would like my comments brought forward from the committee meeting.

(REMARKS ON FOLLOWING PAGES)

(COUNCIL'S COMMENTS ON BILL NO. 2571 - Wednesday, 6/9/93)

Mr. O'Connor:

Move for approval for discussion.

Mr. Ricciardi:

Second.

Mr. O'Connor:

Mr. Turner, Mr. Young.

Mr. Ferlo:

Point of order, Mr. Chairman. I had expressed this prior to the meeting, I am only concerned that we be given an opportunity to review some of the written information, and I would respectfully ask the Chair if he would consider holding this one week to allow us an opportunity to review the written information.

Mr. O'Connor:

Before we hold it, I am not opposed to holding it, Mr. Ferlo, but I think I would like to start some dialogue, possibly at least let us and probably the listening audience know why we are doing it and also why it is a problem to hold it if we decide to hold it.

Mr. Turner:

With respect to holding it a week, what I was hoping is that we could proceed today. Councilman is correct; as a result of the public hearing, there was a request for a lot of information which we have now provided. And the final vote, of course, the vote that counts on this is actually next Tuesday. We are more than willing to have a special meeting Monday, for example, prior to the final vote to go over any additional questions that aren't covered today.

There are three problems with holding it. One, from an operating standpoint we are spending about \$15,000.00 a week to keep it open. The bigger problem is that the Friends are under a very tight time frame. As part of this lease, they are going to spend almost \$1 million renovating the Palm Court, that is the main part as you enter the Conservatory. In order to get that work done by the fall in time for their flower show and get it open in the fall, they literally have to begin now. In fact, we have permitted them to erect scaffolding on a good faith effort that this would be approved, but we can't let them proceed, obviously, and spend the money unless this is approved.

The reason that they want to get this done this fall, this summer and fall while the weather is good, is that next year is the Phipps Conservatory centennial and they want to have a massive fund raising program underway and they want the work, renovation, to be complete for that purpose.

So what I would ask -- and I realize there is a lot of additional information, in addition to questions we have answered already, plus questions we will answer today -- I am more than happy to meet Monday with anyone that is interested to go over additional information prior to that. So that is what we are asking if at all possible. From a personal standpoint, I will be out of town next week.

Mr. O'Connor:

Will you be here Monday?

Mr. Turner:

Yes, Monday and Tuesday.

Michelle Madoff:

Important issue.

Mr. Ferlo:

On my hold motion, my concern is, again, we just received information yesterday, at least only speaking for myself. I would like an opportunity to review it. I have not been able to do it. And it is always the case of the Administration --

Michelle Madoff:

You have 20 minutes to vote.

Mr. Ferlo:

-- they raise the same specter that they always raise.

Mr. Turner:

The information was just requested. We went to extraordinary lengths to get it.

Mr. Ferlo:

I appreciate that. But we just got it, and I think it is only fair for this Council as a legislative body about to give away a multi-million dollar public trust to be able to have some opportunity to review the information you provided, mainly because if it does pass, I think many of us are concerned about

appropriately offering certain amendments regarding this, and I think we will need time to do that. Maybe some have, but most of us have not been involved in the process up to now, and I don't think that we should feel put upon or rushed upon in terms of rushing to judgment in approving this resolution that is before us.

Mr. Turner:

We will make ourselves available from now until Tuesday if that helps in any way.

Mr. Ferlo:

I appreciate that. That is my concern about holding it one week to allow us an opportunity.

Michelle Madoff:

Do I understand you correctly, Mr. Turner, that there is a deadline that would be affected by a week's wait because of the centennial and getting everything in the works?

Mr. Turner:

The problem that they have is they are really behind schedule already. So yes, there is a problem.

Michelle Madoff:

You need to expedite this as quickly as possible. You are willing to work with members of Council on Monday?

Mr. Turner:

Saturday, Sunday, Monday, whatever.

Michelle Madoff:

Personally, I am very much on top of this. I think it is the best thing we have done. As you may recall, in 19 -- let's see, I got elected in '78, I think in '79 I kept talking all along that we ought to privatize the Zoo, Aviary and Conservatory, because it is millions of dollars in debt service that comes out of our pockets all the time. I finally feel that something is happening, and certainly I will do nothing to hold it back.

There was one concern, and I know that my colleague Mr. Ricciardi is as concerned about it, we have been discussing it, and that is what happens to the employees who have written us letters? I don't know if you ever got copies of the letters we received.

Mr. Turner:

No.

Michelle Madoff:

I don't have my copy handy, but Mr. Smith said he will give one to Reggie, and Reggie, would you give it to Jim? We will get you a copy.

Will you get me about five or six copies?

Mr. Smith:

You are going to put me on the spot?

Michelle Madoff:

Loan me the thing and I will make copies. Does anybody else have a copy I can borrow?

Anyway, the point of it is we have a human factor here that needs to be addressed. I get the sense that the people that are running Phipps Conservatory also have that same concern; they are not going to throw people away and they are concerned, they don't want to start off on that foot. They will be meeting with the people and talking to them.

Mr. Turner:

And have been.

Michelle Madoff:

We just got the letter two days ago, and there is great concern about the employees. This always happens. It happened at the Aviary. People say, "What happens to me? Who is going to be the new Director? What happens?" We cannot just let it ride. I would appreciate some direct contact with those people, that we at Council are requesting that you meet with them and tell them and tell us what is going to happen.

Mr. Turner:

There have been numerous meetings. Let me address that specifically. I can take it category by category.

Mr. Cohen:

Before you do that, we have to make an initial determination here because we do have two motions on the table: Whether or not to proceed with discussion and a preliminary vote on this today or whether to hold it for a week and have discussion. We have to make that decision.

Mr. Wagner:

Point of order. We really only have one motion on the floor, and the motion is consideration to approve the bill.

Mr. Cohen:

I am sorry. I thought Mr. Ferlo also made a motion to hold.

Mr. Ferlo:

I want to make a motion, but not fight with Mr. O'Connor. I think we should hold this for a week.

Mr. Wagner:

Until that is withdrawn, we can't consider a second one.

Mr. Cohen:

Mr. O'Connor, it is your prerogative.

Mr. O'Connor:

I would like to pursue it, and out of respect to Mr. Ferlo, I think we are going to have some amendments and we may have some difficult problems ahead. So we can always postpone it until next week, table it next week.

Mr. Onorato:

Recommit.

Mr. Cohen:

Would you like to have discussion here?

Mr. O'Connor:

I would like to start discussion, because I have a lot of questions, too.

Mr. Cohen:

Michelle, you have the floor.

Mr. O'Connor:

I thought I had the floor.

Michelle Madoff:

I am just saying that if, indeed, there is a legitimate concern about time, I will vote for it whether it is today, whether it is next week. I think you have the votes here in Council. If there are amendments, they can be offered on Tuesday, provided you will meet with Mr. Ferlo and answer his concerns. I think they are legitimate. And I concur with him: This is not the first time. I have been here with Pirate votes and stadium votes, and, "Look, folks, if Council doesn't vote in 20 minutes, you people will cost the taxpayers money." Meanwhile, you don't give it to us until five minutes before.

Nevertheless, I think it is a very important step in the right direction. It is a public/private endeavor. And I think all the problems can be addressed. And if you want my vote, I will vote for it today and ask that Mr. Onorato hold the next bill -- no, I mean you -- hold the next bill on the towing, as you suggested, and I am going to go to lunch.

Mr. Cohen:

Mr. O'Connor, back to you.

Mr. Turner:

You raised a question about employees. Can I address that? That is an important issue and I know everyone is concerned about it.

There are 20 full time and now two part time employees at Phipps. Let me take them by the largest categories. There were 12 employees covered by the blue collar bargaining unit. Every one of those employees will either go with Phipps voluntarily or will have a job with the city in existing vacancies we have, with their pay rate red circled and protected, every one of the 12 blue collars.

Michelle Madoff:

That is a guaranteed job for all 12 of them?

Mr. Turner:

Yes. Let me take the next largest category, which is the white collar employees. There are four white collar employees. Each of them will have the opportunity either to stay with the new Phipps Conservatory, Inc., or to go with other vacancies that we now have and we have been accumulating for just this purpose in the white collar union.

There is one person covered by the foreman's bargaining unit: Same situation; he will have the opportunity to either go with the new organization or to move into an existing vacancy that the city has in the foreman category.

There are three nonunion employees, and the nonunion management, as everywhere, they are the ones who are most at risk. Of the three, one is interviewing with the Friends next week. We are hopeful that will work out. One is applying for two different positions within the city that is going through the Civil Service procedure right now. If this person makes that eligibility cut-off, we will give priority. The other person is unknown at this time.

So of the 20 full time people, right now I am optimistic that only one may be in this situation, and even there, they will get priority to any jobs that we have that they are eligible for.

Mr. O'Connor:

In this case, it looks like 59 percent of the employees are taken care of?

Michelle Madoff:

Almost 100.

Mr. Turner:

Yes.

Mr. O'Connor:

I am satisfied. I think we have done a good job there since the public hearing.

Mr. Ferlo:

Can I ask a question about that? The issue is not whether or not they have a job with the city, the issue is what assurance or is there some reason why they can't have some level of confidence to be assured they will have a continued professional relationship with this institution? These are people that for 10, 15, 25 years of their life have donated to maintaining what many consider a great institution. The issue is -- I don't know that they even clearly know what the job structure or what the job position opportunities are in this next structure. Let's pick an example of the director. I don't know the director from Adam. Why can't he be the continued director for this Phipps under this new arrangement here?

Mr. Turner:

Any time -- let's deal with all employees. First of all, the first thing they have to do is apply. In many cases people are not interested in going with the new organization.

Mr. Ferlo:

They don't know that.

Mr. Turner:

May I be permitted just to finish my statement? They don't go with the new institution for reasons that have nothing to do with the facility; they have to do with pension, benefits, they have to do with their knowledge that the city is going to be in existence no matter what happens, but a new entity may or may not. So it is not at all unusual that even when there are openings, people do not apply.

With respect to the director of any facility, any time you have a new organization that is going to take over and be responsible for it, they can, should and must be in the position that they are selecting the employees.

Mr. Ferlo:

Let me ask a question. There is a gentleman who came to the public hearing who said that he was a consultant to this group, and I believe he is formerly with Chambers Development. Is he going to be the next director for this facility?

Mr. Turner:

I have no idea who is going to be the next director.

Mr. Ferlo:

Is that already presumed that that is what is going to happen?

Mr. Turner:

It is not presumed by me and it has never been stated anywhere.

Mr. Ferlo:

The concern I have and the reason I think we should hold this for a week, what assurance do we have that in giving this institution to this group, that we know that there is a staffing level and the expertise there, including the director, that cares or knows about this facility and can actually operate it?

Mr. Turner:

What would you have me give you that would give you that assurance? I can only describe the processes we are going through, the job descriptions, what we have told you before.

The group that is going to run it is Phipps Conservatory, Inc. All they care about is plants. All they care about is this institution.

Mr. Ferlo:

You don't know that. None of these people have been hired, Director. I don't know if they are hiring people from Chambers or who they are hiring. They have no relationship to run Phipps from a professional point of view.

Mr. Turner:

The group that is doing it has been involved in this for years, and years, and years.

Mr. Ferlo:

So what gives --

Mr. Cohen:

Councilman and Director, I am sorry. Not only it is impossible for the stenographer to catch both of these arguments, but it is impossible to have a productive dialogue. So please, one and then the other.

Mr. Turner:

I haven't interrupted him once.

Mr. Ferlo:

Why can't this Council, if we were transferring to another institution, be it nonprofit, whatever this arrangement is, also transfer some of the key staff that we feel strongly have played an important role in maintaining from a point of view of operationally maintaining a great institution?

Mr. Turner:

Because --

Mr. Ferlo:

I don't feel comfortable just throwing this up to some group.

Mr. Turner:

Let me know when you are ready.

The situation you face in any type of public/private partnership like this is that you are turning over the institution and they have a major finance burden in front of them, because the funds that we are providing in no way, shape or form pay for all the deficit. The only way any organization is going to agree to do this is if they themselves are selecting the staff. We fully expect and encourage that they will ask a number of members of the existing staff to stay there. That does not mean that I would expect that they would offer jobs to everyone, nor do I expect that everyone is offered a job or that everyone will even apply. They can, should and must have the ability to set it up and run it as efficiently as they deem appropriate and as they can, if they are going to be running the facility.

Mr. Ferlo:

I don't know that we even in this packet have a list of the board. Who is actually the board of this institution?

Mr. Turner:

We will get you that. It is not there.

Mr. Ferlo:

So we don't have the board, we don't know the staff, and we are about to turn over a multi-million dollar historical institution to a bunch of people we don't even know?

Mr. Wagner:

Mr. Chairman, could we stay on the personnel issue? I know Mr. O'Connor had the floor, I believe.

Mr. Turner, I know you have explained pretty much the procedure here. How can we factually guarantee that these employees have the opportunity to sign on to the city as part of our vote for the public/private takeover?

Mr. Turner:

There is a distinction between unionized employees and nonunionized. With respect to the unionized employee, they are all taken care of. That is not an issue. They will have the ability either to go with the new facility and/or to move into existing vacancies. There have been numerous meetings now with the union officials and with the employees. They are aware of that.

With respect to the nonunion employees, all of us in management in the nonunion category are well aware of the fact that that is part of the risk you take when you are in the unprotected class. I think what is important here is trying to

be as consistent as we can be with respect to what we have done in the past with these other facilities. And with respect to nonunion employees, we give them priority with respect to any jobs that become available. But are they harder to place than a laborer is? Absolutely they are, just because of the specialty and of the nature of the work. Could we offer them the first vacancies in any job that open? Sure we could. I am not sure that they would be interested in that.

Mr. Wagner:

The reason why I am asking this, obviously, is that we went through the Aviary situation and we -- there were some very unhappy employees and ex-employees. If we think the present employees are good enough to work for the city now, we should make sure that they have the opportunity to work for us after the takeover; that is, if they cannot find a suitable job within the new structure at Phipps. I won't be so naive to think that based on a different employee benefits package which is lesser than the city presently has, that probably the majority of those employees for their own personal reasons would prefer to work for the city rather than work under the new structure at Phipps, because of family obligations and other things. That is very understandable. Even though we all know it is not a perfect world, to move forward there has to be change.

I just want to be certain that the same situation that existed -- that the situation that existed with the Aviary is not occurring here, and I need a comfort level. What you are saying is helpful, but I certainly want to make sure that we are sensitive to these employees, because we know we should not be hiring to fill any vacancies unless these people have the option to fill those vacancies.

Mr. Turner:

I don't want to misrepresent or mislead Council on this. With respect to the nonunion employees, we can make a commitment, it doesn't bother me and the Mayor has no problem with it, making a commitment to them for entry level jobs, but my suspicion is they are not the least bit interested in that, because they have obviously gone well beyond that. It is hard to make a commitment beyond that. The higher you get up the ladder, the harder it is to guarantee equivalency in type of work.

With respect to doing our best with the nonunion folks to, (a), make sure anything that does become available that they are interested in, that they get priority, absolutely, we do that, we will continue to do that. We can offer them entry level work, but in many cases that is not going to be consistent with what they have been doing.

Mr. Wagner:

We have the commitment from you to place these employees within comparable positions within city government, both union and nonunion?

Mr. Turner:

To the extent we are able to, absolutely.

Mr. Wagner:

I want to make sure that if these people apply for a job that is vacant, that they have the first option for that position.

Mr. Turner:

If they get through the Civil Service approval process, absolutely, you have that commitment.

Mr. Cohen:

Any other questions on personnel?

Mr. Onorato:

Personnel. Director, Councilman Wagner brought up a good point. We had the same problem at the Aviary involving the director there. I see one big difference so far, and hopefully this can be cleared up before next Tuesday's final vote. I won't have a problem voting today knowing that we can recommit if there is a problem.

Even though the existing director did not get the job, the person that did get the job was well qualified, both with education and experience dealing with the type of facility we had there, which happened to be a bird facility. Now we are dealing with a facility that has to do with flowers, and I can tell you, I am definitely not qualified, I have no idea what you have to do or what kind of background you need.

What I would like to see by next Tuesday, what is the requirement going out asking for of the director of the new private group, and if it is not going to be the existing director, the new person coming in, are they at least qualified to run it? Because as a private/public, we do have a responsibility to make sure that the quality of the facility stays up, and I think the Executive Director is the key position to run the facility.

Mr. Turner:

The job descriptions are in your packet -- I was

incorrect -- as well as the listing of the Phipps board is in the packet. We will highlight that.

Mr. Onorato:

Does the Existing Director -- maybe you know this, Director -- have the option to apply for the equivalent position under the new system at this point?

Mr. Young:

I think he does.

Mr. Turner:

Yes, he absolutely does. But that is not a guarantee.

Mr. Onorato:

As of today he hasn't applied and been denied, as of today?

Mr. Turner:

That is correct.

Mr. Young:

I think the thing is, though, they haven't gotten to that one yet.

Mr. Turner:

He will have the opportunity to apply.

Mr. Onorato:

What is the new title called?

Mr. Young:

The highest title that they have right now is a horticulturist, and at some time in the future, and we don't know what that timing is, they will be bringing on board a director.

Mr. Onorato:

What is his title right now?

Mr. Young:

He is the Director of Phipps Conservatory.

Mr. Onorato:

Is he the top guy there?

Mr. Young:

Yes.

Mr. Onorato:

Are you telling me that this horticulturist will be that same position, or is there somebody above him?

Mr. Turner:

No. What will happen is in the interim when they are doing all the major reconstruction activity, which will run through the summer and toward the end of the year, they are going to down size the staff. But then next year, you will recall at the public hearing, they hope to have as many as 25 full time staff. At that point in time other of the higher level positions that may not be available now will come open them.

Mr. Onorato:

When we switch this over privately, who will be the person in charge of Phipps, to oversee Phipps? There has to be somebody there to see the operation that works there every day.

Mr. Ferlo:

Is it the consultant who is going to be the person?

Mr. Young:

I think that is correct. That is the person who will be there in charge of the facility along with the horticulturist and the other people and the grounds people.

Mr. Onorato:

Who will be there?

Mr. Turner:

There is a consultant right now working for the Phipps Friends.

Mr. Onorato:

This consultant will be on site full time?

Mr. Turner:

Yes, he is on site now.

Mr. Onorato:

So the consultant is really replacing the Executive Director?

Mr. Turner:

Not on a permanent basis. During the changeover, yes.

Mr. Cohen:

He is the transition manager.

Mr. Onorato:

We have no idea how long it will be, at this point?

Mr. Turner:

That's correct. I assume that would last us certainly through the summer and the fall during the renovation season. By next year, certainly no longer than that.

Mr. Onorato:

I want to make sure, then, the existing Executive Director, though, I could see his argument that, really, his position isn't there, because right now are having the consultant there, so he doesn't have a position to apply for at this point.

Mr. Young:

That is correct.

Mr. Onorato:

Except the lower position of a horticulturist.

Mr. Young:

That is correct.

Mr. Onorato:

If he wanted to be the Executive Director, he would have to wait until the transition is over, and hopefully there will be a position open for him to bid on.

Mr. Young:

He can apply.

Mr. Cohen:

Any other questions about personnel matters? And then we move to other matters.

Mr. Smith:

I think we keep sitting here, and I understand what you are saying about the employees, but my concern basically is that with the clause and the PCI application that reads, "Any employee can be discharged at will for no cause," basically that means that all these employees are going to come to us, and I just want to, because I do not want to sit here and regulate for PCI what job descriptions, what benefits they offer. I do want to regulate a couple of other things, and I have two amendments to this. But with that in there, I am just worried that we are going to basically put some of our people out on the street. All I want to know before I vote yes on this is the positions that are available that our employees can be transferred for. You keep saying there are positions that are open. Not that I don't trust you, Mr. Turner, I just want to know what is there, what is reasonable for people to expect. On that issue of staffing, it is our side that I am worried about, not at PCI.

Mr. Turner:

I agree. That is where my focus has been, also. The only reason for the hesitation with respect to the unionized employees, is that it is actually a fairly complex process on the bumping and bidding and what have you. There have been meetings with every employee, numerous meetings now, with every single union representative, and we are working out the problems. You know, for example, the people in the crafts part of the blue collar union have different moving procedures than do the laboring class, and within the laboring class we have one or two employees that are out there now that have some special needs, and that has to be dealt with.

Mr. Smith:

I wanted to address those individuals specifically.

Mr. Turner:

Let me make this very clear for everyone. With respect to the unionized work force, every single person that is out there that does not voluntarily go with the new organization will move into a city job at no loss of pay.

Mr. Smith:

No loss of pay?

Mr. Turner:

No loss of time or pay.

Mr. Smith:

I am content. You need not go any further with me on that particular issue.

Are we moving off of personnel?

Mr. Cohen:

If there are other personnel questions, ask them now. If not, we will move off of personnel.

Mr. Ferlo:

On personnel, I don't know yet what these positions are. The issue is not do these people have a right or the ability to get back on with the city as a matter of last resort, hopefully that is the case. The issue is they don't necessarily know what it is that they can possibly vie for. And what is this new organizational structure in terms of personnel to give this Council assurance that that staffing is actually going to represent the ability to manage and run this facility in the interim? I don't know. Should there be one horticulturist or three? We have gone from a city budget, we keep paring it down, it is part of a forced obsolescence policy on the part of this Administration. I don't know and I don't feel comfortable that whatever this new arrangement is, that it is actually going to be able to manage and protect palm trees from 1893 or whatever else is there. Who can answer that question?

Mr. Turner:

There are jobs descriptions that describe the caliber of folks that are being hired. So you can't just take anybody and make them a horticulturist.

Mr. Ferlo:

You tell me right now --

Mr. Cohen:

Councilman, please let him finish. Director, finish. I said you could finish.

Mr. Turner:

There are job descriptions that describe the qualifications, and it is only people that meet these qualifications that can go into those jobs. To the extent that some of our employees go over there, sure, I think that is great. We know that to date or as of yesterday four had applied. Will more apply? I just don't know. I hope they do. My sense of it is that the reasons people don't apply often have actually nothing to do with the nature of the work, because you are correct, if they have been doing florist work all this time, then I think they are more likely to prefer to continue florist work than some other type of blue collar arrangement that they would bid into or bump into.

Mr. Ferlo:

We are transferring the assets to this other group. I believe the current employees --

Mr. Turner:

The assets remain with us.

Mr. Ferlo:

When I say "transfer," technically speaking, the institution.

Mr. Turner:

They will operate under a lease agreement.

Mr. Ferlo:

I think the employees are as much an asset as the palm trees and anything else that is in the place. If we have the power to transfer that under this lease arrangement, however you refer to this document, we also have the same power relative to employees. If somebody is good enough to be a director under the previous arrangement with the city, I don't see why they wouldn't have that ability under this new arrangement. If somebody has been a horticulturist in the previous arrangement, I don't know why they wouldn't necessarily have the expertise or ability. And I think we should consider that kind of arrangement as part of this agreement.

Mr. Turner:

You can't force the employees to go with a new employer.

Mr. Ferlo:

I didn't say force.

Mr. Turner:

You can't transfer employees.

Mr. Ferlo:

You mean to tell me right now if we asked a horticulturist at the facility right now under this new arrangement -- assuming they are given at least a week's time to review this -- would they like to also be the horticulturist under this new nonprofit group, they should be able to decide. I am not saying obviously we can't force them, but there is a difference between giving up your livelihood, job and your ability to have been vested there at Phipps for the last 10, 15, 20 years, and all the sudden this twilight zone opens up and you are being asked to jump ship. That is a very uncomfortable position to put employees in. In the case of the director, there is not even a position for the director to apply to. You are asking the director basically to apply to be the horticulturist.

Mr. Turner:

With respect to the nonunion employees and management employees, absolutely, they are far more at risk than anyone else. Whether you are talk about city, small business or big corporation, that is the nature of nonunion managerial employment.

Mr. Ferlo:

You never answered my question. Do we know what the proposed structure is staffing wise?

Mr. Turner:

There is a business plan which is part of this. I guess maybe what I would recommend, if it is agreeable to you, is if you can look at it over the weekend, we can meet on Monday informally with the Phipps people and go through that in detail.

Mr. Cohen:

Any other personnel questions at the moment? We are moving off of personnel, then.

Mr. Smith:

May I ask one question? Are we not working on a license

agreement to permit them to proceed with the rehabilitation of the Palm Room?

Mr. Turner:

What we have is a license agreement to let them erect the scaffolding. To let them actually begin the renovation is another major step that makes me very nervous just from a liability standpoint, I mean if that is an option.

Mr. Smith:

We are always liable for something. Why are we rushed and pressed if we have an option of proceeding with a license agreement and then settling the issues that we all have, and proceeding forward? If the license agreement has been done for the scaffolding and Phipps and we have not resolved this by the time the scaffolding is up, then we proceed with a license agreement to proceed with the work. We have someone shaking their head back there, but my point is what would a week's delay be? Are they going to throw the scaffolding up this week?

Mr. Turner:

The scaffolding is going up as we are speaking.

Mr. Smith:

So we have a license agreement?

Mr. Turner:

For the scaffolding.

Mr. Smith:

Will they have it up before -- now you have caught me at a bad date -- a week's delay?

Mr. Turner:

I am not sure of the exact time. I guess the response, I don't want you to feel that you are rushed, on the one hand. We are trying to give all the information that we possibly can to you.

Mr. Ferlo:

You just don't want us to read it.

Mr. Turner:

We submitted -- No, I even want you to read it. You may be surprised, but I want you to.

What we would like to do, I mean, there is a cost to us of keeping it of about \$15,000.00 a week.

Mr. Smith:

Did we not just transfer some money today to keep it going?

Mr. Turner:

We transferred money that will keep it in place through the end of this month, and that was assuming that we would have final approval on Tuesday, which then gives us an additional approximately two weeks plus to finalize all the items and make the transfer, because that takes some additional time. What I would hope is that -- this has been on the table for quite some time now.

Mr. Smith:

You will excuse me, I wasn't here.

Mr. Turner:

What I had hoped is that we could meet for as long as anyone wants on Monday after people have had a chance to review it and if you are still uncomfortable with it on Tuesday, then, of course, you should hold it. I understand that.

But I guess my frustration is that I think we have worked out the major problems that always concerned me in terms of this, and I think we are in a position to proceed. We have the Friends group ready, willing and able to spend a million dollars, but they are getting nervous on the timing because they are running out of time. What I would ask is that if we can see if we can work everything out by Monday, to enable you to vote in good conscience on Tuesday.

Mr. Smith:

I am willing to sit here all day long. I don't have anything to do until dinner time. By then after missing two meals I get a little grumpy.

If we are proceeding, why does seven days mean that much to you?

Mr. Turner:

I am not going to tell you that seven days is the end of the world. But where we are is that from the Phipps Friends'

standpoint, they would have liked to have seen this transfer have occurred about a month ago because they are trying to get this work done during this period in order to be ready for the centennial. Their view is that next year, this may be the most critical year from their perspective in the Phipps operation. It is a time to try to go out and raise money, and they would like even more time than we are giving them, and every day's delay is making them more and more nervous.

So again, what I would ask is if we could meet after today's session, have everyone review the documents, meet again on Monday, and hopefully the items will be resolved.

Mr. Smith:

I am sitting here with a whole series of philosophical questions about the direction, I think it addresses Mr. Ferlo's concerns, also.

Does anyone mind?

Mr. Cohen:

Well, as Chair of this meeting, we are moving forward and we are going to stay here as long as anybody has questions. So please go ahead.

Mr. Smith:

Okay. Thank you.

I would like to know what botanical standards are going to be used, what organization -- there are botanical associations world wide -- that PCI will be a member of. I am concerned that we may change the direction of our specimen in this facility. I don't see anything in the contract language that says they must maintain it in the direction that we have. We have some very rare species that are in our facility. They may very well be sold off and, God for fend, we may have daffodils everywhere in every room.

Mr. Young:

There are provisions in there that they cannot sell off the collection. Any sale of the collection has to be used to resale and to buy additional plants for that.

Mr. Smith:

But that doesn't address, Mr. Young, my concern that if they sell off I believe the oldest indoor palm, that they ever purchase and maintain that species of palm that may be extremely unique or whatever. What I am concerned is not so much that they are going to dash off with the money, that I don't believe they are going to do. I am worried about the standards that

will be adhered to in terms of the botanical world and the direction that our facility has taken over these last 90 years.

Mr. Young:

I think if you look at the board of trustees, this board of trustees has been, for the largest part of them, the board of trustees that is here has been out at Phipps for a long, long time and been supportive of the kinds of activities that have gone on at Phipps. They have been very supportive in that regard and they have been out there for a number of years. So I think that their interest in making this facility one of the best facilities that can be made out of it is already there based on the longevity and their interest in supporting it not only financially, but in a number of other endeavors.

Mr. Smith:

Well, this board has a 99 year lease ability, and I don't think anyone on this board will be there for the 99 years. I will probably be here for the first 29.

Mr. Young:

That is no different than anyone in the city. I think what is important is that we all recognize how important Phipps Conservatory is to our city and to the region, and the members of this board of trustees have been around for a long time, probably some of them have been in place longer than some of us as employees working out there. And I think that they should be given an opportunity since they have been involved in this for a long time to be able to show that they have the integrity and character to put a good organization in place that we will all be proud of.

Mr. Smith:

Well, I don't have a problem with the people who are there. What I have a problem with is that I have not heard what standards this facility will adhere to, who will be their membership organization to which we can ask specific questions, are they maintaining it to the standards you believe or that are adhered to nationwide or world wide. I don't hear that in the contract language. There is my first step, that we say -- and you will have to give me a second -- where we actually say to them, "The tenant shall have the right to add, delete or substitute any item in the plant collection and otherwise deal with the plant collection in accordance with the collection's policy as the same may be amended from time to time in the ordinary course."

My concern is that we can change. Different facilities have different emphasis, that they could possibly change the

emphasis that we have here now. Let's be honest: We are turning this over, they are going to have a problem. The City of Pittsburgh had a problem operating this. They are going to face a problem. Do we lose some of our very important plant life in this facility because they cannot afford to maintain it?

I would like to read into the record just briefly, and I think everyone received this letter, or maybe I am special, but this letter basically talks about, "Presently there are seven florists working two shifts, so there is coverage seven days a week. This is a streamlined work force, because at one time there were 12 florists at Phipps." PCI Intends to have two full time growers and two part time interns. There is a problem that the plants still need care even though the facility isn't opened. It is my fear that we may lose some of these plants. I am just worried that there is no contractual language that gives direction or us a recourse if they should fail and begin to kill off some of this. Selling it off, no problem.

Mr. Turner:

That is a legitimate concern.

Mr. Smith:

But I don't see that under the collection's policy.

Mr. Turner:

What we will do prior to Tuesday is we will draft language that deals with standards and periodic reviews. That is a legitimate concern.

Mr. Ferlo:

Another example, there are several hundred thousand dollars worth of art pieces at this facility. Under this language, they would be able to sell it.

Mr. Turner:

No.

Mr. Smith:

Yes.

Mr. Ferlo:

Maybe I am not reading the language right. My interpretation of this agreement, they would be able to sell several hundred thousand dollars worth of historical art pieces, albeit the money would come back into the facility. I don't

think that should be allowed.

Mr. Turner:

There is a separate exhibit that deals with the art pieces in terms of just that, that concern, because we agree, we don't want that to happen.

Mr. Ferlo:

Has all that been inventoried? Do we have a list? Can you provide us a list of these art pieces?

Mr. Turner:

Yes.

Mr. Cohen:

Mr. O'Connor?

Mr. O'Connor:

As chairperson, we have a lot of questions. In respect to my colleagues and I have a lot of questions, I suggest we recess this meeting until next Monday, and therefore we can meet at 10:00 o'clock. It would give us appropriate time to have all our questions in order or amendments. And possibly, I hope if we do have any extreme amendments they would get to you before Monday so you have time to answer that.

Mr. Onorato:

Second on that.

Mr. Cohen:

There is a motion to recess. Can we make it 2:00 o'clock on Monday? Is that a problem with anybody?

Mr. Ricciardi:

I have a question. Mr. Chair, if you could inform Brother Richard and we could properly give notice on our cable television that it has been recessed and when we will readjourn.

Mr. Cohen:

Let me ask the City Clerk and Assistant City Clerk, is Monday at 2:00 o'clock all right?

Mr. Perry:

Monday at 2 is open.

Mr. Ferlo:

What do we have, a one day notification obligation?

Mr. Perry:

For recess? I just have to post it, that is all.

Mr. Cohen:

Mr. Turner, you and Mr. Young will be available on Monday?

Mr. Turner:

I will be happy to be here.

Mr. Cohen:

Is there a second?

Mr. Onorato:

Second.

(End of first discussion.)

(Transcribed by Helen L. Kriebel, Stenotype Reporter.)

(CONTINUED COMMENTS ON BILL NO. 2571 - 6/14/93)

Mr. Cohen:

We began consideration of this bill last Wednesday. Do we need a new motion, Mr. Perry?

Mr. Perry:

The motion is still on the floor.

Mr. Cohen:

The motion is still on the floor, so we don't need another motion.

Mr. O'Connor, would you like to begin?

Mr. O'Connor:

Discussion. Jim, I had a few questions, then I will open it up.

The insurance information on this, will they be insuring the building?

Mr. Turner:

As you know, right now we are self-insured, which is another fancy way of saying we don't have insurance. Yes, they will be insuring the building. In addition to kind of standard liability type insurance, they have just informed us that they are going to provide \$13 million worth of hazard insurance, basically which includes fire insurance. So the insurance they will have, which is a combination of the property, liability and hazard insurance, will be far in excess of anything that we currently have.

Mr. O'Connor:

They have a \$13 million insurance umbrella?

Mr. Turner:

Yes.

Mr. O'Connor:

Is that correct?

Mr. Turner:

Yes.

Mr. O'Connor:

That is much better than we have?

Mr. Turner:

Absolutely much better than we do.

Mr. O'Connor:

Would you want to bring us up to date? I know a lot of Councilmembers have questions, but maybe we can wrap it up with where we are with the jobs, how they stand with our employees.

Mr. Turner:

Yes. I will reiterate for everyone once again. There are 20 full time, two part time positions. Of those positions, 12, the largest group is covered by blue collar union, and each of those employees will have the ability if they are not hired by Phipps Conservatory, Inc., to move into a city job at the same rate of pay. The same is true with the white collar union. There are four positions there. The same is true with the one employee who is covered under the foreman's union. The people that are at risk by definition are the management group. Of the three full time management people, it appears almost certain that one of them will be picked up by Phipps Conservatory, Inc., a second person has applied for two jobs for which we think this person will make the civil service eligibility list, in which case she will be given preference, and then the third person, the standing commitment from the Administration is that for any jobs for which this person would apply and would be qualified in accordance with Civil Service, they would be given priority.

I would also like to mention at this time there are now nine existing employees who have applied for jobs with Phipps Conservatory, Inc., which is a big increase over what we had before. Plus, we believe at least one additional one will be applying.

Mr. O'Connor:

You are saying nine are at least satisfied and want to continue working there with whatever arrangements?

Mr. Turner:

Nine have indicated to the new group that they would like to at least have discussion with them about moving over there. As we discussed previously, probably the largest impediment to an employee to move into a new organization is the change on the pension status, a change in benefits, just the change from leaving the security, if you will, of working for the city

verses working for a new organization. But nonetheless, now a number of them, almost half of them, have applied.

Mr. O'Connor:

Do you have any idea, give us a total, is it 19 out of 20 look like they are satisfied?

Mr. Turner:

As of right now, I believe that 19 out of the 20 will end up -- 19 of the 20 are in no danger of being in a layoff situation, correct.

Mr. O'Connor:

I would like to keep the floor, but if anybody wants to add to employees, do you want to do that?

Mr. Ricciardi:

I have a follow-up on the employees issue, Mr. Cohen.

Mr. Cohen:

Yes, Mr. Ricciardi.

Mr. Ricciardi:

Mr. Turner, I believe you just mentioned that 19 out of 20 employees are not in threat of layoff. So you are including the four part time employees?

Mr. Turner:

No, I am sorry. There are 20 full time employees, that is the 20 I was referring to.

Of the four part time position, two have left, so there are now two part timers, have left voluntarily, and of those, generally the part time positions are easier to deal with because we do so much part time hiring. We shouldn't have a problem with part time.

Mr. Ricciardi:

We are going to be able to help the two part time employees, either in that seasonal work or part time six months status throughout the City of Pittsburgh?

Mr. Turner:

Correct.

Mr. Cohen:

Mr. O'Connor, before you had a question and I didn't respond to it.

Mr. O'Connor:

If anybody has questions as far as employees, if we want to cover them all now?

Mr. Cohen:

Why don't we do it that way?

Mr. Onorato:

I don't want to get into using names, but what I would like to have, if possible, because it is a gray area once we go private/public of letting the board have control of hiring, is there any way we can have a list of the 20 full time people and maybe a month or two from now exactly where everybody ended up? Just so we can do a follow-up and have an idea who stayed with the Phipps and who decided to move on.

Mr. Turner:

Sure. In 30 days we would know that.

Mr. Onorato:

Thanks.

Mr. O'Connor:

Looking at the map, I understand the Christopher Columbus statue is historic and it is not in this deal at all?

Mr. Turner:

Correct.

Mr. O'Connor:

We spent a lot of money renovating that and a lot of people were involved. So that covers any fears there.

The front lawn we have had some questions on. Now, as I see it, and I am maybe stating for the record, I don't feel this front lawn should be touched. I am not saying you can't expand in the front because you have quite a lot of room before that sidewalk. Is that the general feeling of the committee?

Mr. Turner:

I don't know if there is a general feeling. The master plan that was originally proposed, as you will recall, certainly ate into a fair chunk of this front parcel, which I will call it for want of a better term. However, that was far from being a done deal. No major alteration or change like that can occur without coming to the city for approval. So nothing like that can occur without approval.

Mr. O'Connor:

Without Planning and/or Council?

Mr. Turner:

Right now, let me think, the lease says that major changes have to go I believe to Engineering and Construction for approval with everything coming here for review. I do not believe the lease currently says for approval by Council.

Mr. O'Connor:

How about historic designation?

Mr. Turner:

Yes. This is an historic building, so anything like that would have to go through an historic review process.

Mr. Ferlo:

That doesn't come to Council, just the HRC.

Mr. Turner:

No, historic review doesn't. Any kind of major change that would affect setbacks or any type of zoning issue, that would be in a conditional use category, would have to go to the Planning Commission first and then to Council.

Mr. O'Connor:

Evidently the front, the plot plan here, the grass is not in the park, I would imagine? Or the whole thing is in the park, I guess?

Mr. Turner:

Correct.

Mr. O'Connor:

Under those circumstances, I would suggest that it has to come to Council. If not, then I would suggest we take this map, only lease to them without the sidewalk, from the sidewalk back.

Mr. Turner:

That is actually a driveway there (indicating).

So what you would like is that any change affecting that front yard use would have to come to Council for approval?

Mr. O'Connor:

Yes. Does that bother anybody?

Mr. Cohen:

While you are getting that, I wonder if I may ask Mr. O'Connor, because this is a very important point, why we should even limit it? I am wondering whether we should say "Any major alterations or improvements should have Council approval," as well. Is that a problem?

Mr. Ferlo:

Approving expansion and alterations.

Mr. Turner:

I know normally we don't ask other people to the table, but in light of the special circumstances, would it be possible to have the Friends come to the table to discuss that?

Mr. Cohen:

The way it works is that any Councilmember can object to somebody coming to the table if they so desire. Otherwise, we can have that person come.

Mr. Ricciardi:

I have no objection.

Mr. Cohen:

Without objection, then, certainly. A representative from Phipps Conservatory, Inc., Mr. Yatch.

Mr. Yatch:

We don't have any difficulty concerning that kind of

restriction as to a structure. But within the plans and working again with the city, City Engineering, there were in the designs the concept of putting rose gardens and other type of gardens to beautify it out there. As far as the building is concerned, we felt that historic review, which automatically regulates what we can put out front of the structure, that historic review along with City Engineering approval was sufficient to bring us back.

Mr. O'Connor:

Would you object to any major construction with the building coming to Council? Because I am going to further ask about the back, too. In other words, that way we wouldn't limit it to what I said, the driveway.

Mr. Yatch:

You want to us come for any construction?

Mr. O'Connor:

Any major. In other words, your long-range plan, which it came way out here, which I strongly would object to.

Mr. Yatch:

Yes, we discussed that.

Mr. O'Connor:

But that is you and I, and you could say, "Bob, I'm sorry."

Mr. Yatch:

If you are not here, I am not here.

Mr. O'Connor:

You might agree with me, but the other 90 may not. While you are thinking about that, I am concerned about the back. Are we giving this back, whole back -- I mean, right now we have plans to possibly move our salt.

Mr. Turner:

Yes, I would like to address that.

What we have in the back area right now is a major Public Works/Parks maintenance facility including storage of trucks and salt domes, not salt domes, but salt piles. We all recognize from the city standpoint that is not the greatest place in the world to be, and those of you that have dealt with the problem

of us being in other parks in other districts are well aware of that.

The problem comes into being is literally in finding a location. We are slowly but surely moving things out of there. I believe we have moved the Pool Division out of there, we have moved the Parks warehouse out of there. So slowly but surely, we are moving out of there.

What this lease agreement calls for is (A), it recognizes that ultimately the back parcel is needed for parking for the Conservatory for the expanded version they would like to have. The way it would work is that once they receive a funding commitment in order to go into a major building program, they would then notify us -- they have to have the commitment -- they then notify us, we have one year to attempt to move out of that time. Then, once we are out of there, they have to begin construction within six months from that point in time. So in other words, we don't leave there unless they have the funding commitment and begin the renovation process. Otherwise, that remains city property.

Mr. O'Connor:

Okay. If they did not have funding and we, for whatever reason, were able to move out?

Mr. Turner:

It remains with the city.

Mr. O'Connor:

What I am leading to, we are giving them a very, very expensive, historic piece of land, very valuable piece of land. If you would expand backwards, it certainly could be a parking lot, I would imagine, not only for the Phipps facility, but it could be a money maker for the Oakland area.

Mr. Yatch:

We have already done a review on that and the feasibility of putting a garage in was not positive.

Mr. Turner:

In that scenario, that would remain with the city. We would be putting the parking lot in then, if you will. It only goes to the Friends when (A), they have funding commitment, and (B), then they must begin actual physical work within six months. Otherwise the parcel and its use, whether it be parking or storage, remains with the city. So we are protected there.

Mr. Yatch:

It has been, again going back to the concept in the lease, we have to get engineering and design approval from the City of Pittsburgh on anything we do, and I have always assumed, it's never been a fact that hasn't been there in the past, that Council with its relationship with the city has been able to bring sufficient pressure to make sure that its concerns are addressed when it comes to making a decision with the city Administration on a facility like that. That is why we put the language in.

The problem that we have is that once you go before a very stringent Historical Commission Review and you have gotten through all of the bureaucratic things you go through with the city Administration to get their design approval, to then have to go through another public process again to re-educate and go over it, we have no problem with Council being part of that initial review, and that is why we had said "review;" we want Council to be in there and giving its input to it, but sketching the process out, it affects financing, it affects the ability to get a project built. We would like to keep it within a time frame that becomes feasible. For example, we have indicated in there that Engineering has to get back to us within 60 days. We don't want to put something in where we have to make a business decision and have it stretched out for six months or a year because it gets caught up inside a bureaucracy. We would like to be able to operate as a business.

Mr. O'Connor:

Theoretically, if you raised the money and want to expand, we are going to basically give you control of this whole back?

Mr. Yatch:

In essence, we have an option or a calling.

Mr. O'Connor:

In the mean time, if we took those facilities out next month and next year we want to pave this and make a lot, say --

Mr. Turner:

We could do that.

Mr. O'Connor:

We could do that, make the money until such time they would want to expand?

Mr. Turner:

Sure.

Mr. O'Connor:

If you were ready to expand, I am sure you would have need of a nice parking lot underneath or wherever.

Mr. Yatch:

That is correct.

Mr. O'Connor:

Where is our partnership? Do we get the 26 percent?

Mr. Turner:

Yes, I am glad you raised that. Regardless of who is charging for parking, the city gets 26 percent of it right off the top. So even in a situation where, let's say Phipps is able to finance a garage back there by having the subsidies underwritten by foundations, to the extent that they are charging \$10.00 to park, we pick up 2.60 of that right off the bat.

Mr. O'Connor:

Even if it is strictly for events?

Mr. Turner:

That's right.

Mr. O'Connor:

Like when you park in the Carnegie Library and pay \$2.00 to park?

Mr. Turner:

If there is a parking charge, then it is 26 percent to the city.

Mr. O'Connor:

We are partners in it?

Mr. Turner:

Yes.

Mr. O'Connor:

The last question I had really and I want to bring to everybody's attention, what bothers me, with the Aviary we signed a 29 year lease, and everybody, I just talked to the people over there, they seem very satisfied. There are some tight things going on, but everything looks like it is in the right direction. The golf course asked for a 29 year lease with CMU, this Council objected to that and we gave them a 15 and 15 with an option. In this case, the 29 year lease with actually up to 99 years with options, the number 29, could you explain why we came up with that number first?

Mr. Turner:

The 29 becomes a legal issue with respect to there actually being a transfer of the land. So evidently -- and the lawyers can talk to this -- but evidently when you go longer than 29 years even on a lease, it is viewed in essence as a purchase and therefore you get into deed transfer tax issues. Deed transfers not only to the city, which we can deal with, but to the school district and state. So 29 years is kind of a standard terminology within a lease structure. That is where that first came from.

Mr. O'Connor:

Okay. So we are basically doing 99 years, because the options are very in favor of the Phipps foundation.

Mr. Turner:

No. This is the way I would describe it: The way it would work is that at the end of the 29 year period, assuming that Friends of Phipps want to continue to run it, they then come to the city and request the first ten year extension. They come to us. If we grant that extension, then there is no preliminary, they continue for an additional ten years. If we have concerns and do not want to grant the extension or if we simply want a review as to what they are doing, then there is a three member panel that is convened; one representative appointed by the city, one representative appointed by the Friends and then one representative appointed by the Executive Director of the United States Botanical Gardens. And the purpose of that three member panel is to review to ensure that the facility is being operated in a financially responsible way and that it maximizes the benefit to the public. If they find that, in fact, it is being done that way, then the option would stay with the Friends. If they find it is not in their opinion being run in that manner, then the option would go to the city.

What we have tried to do is set this up in a way, in essence, if they are running it properly as viewed by an outside

expert after expert presentation by both city and the Friends, then we want them to continue it. We have also structured this lease in such a way that as you are well aware right now, this facility as well as any facility like this in the country does not make money, they are not money making operations. Any funds brought in by the Friends from the facility company only go to one of three places: (A), to operate the facility; (B) for any capital improvements to the facility; or (C) for any type of public botanical or horticultural exhibit within the community. Other than that, the funds can't be used per the agreement for any other purpose.

Mr. O'Connor:

The funds have to stay in the community?

Mr. Turner:

Yes.

Mr. O'Connor:

Answer me this, then: Why 29 years with everybody else and 99 years for this?

Mr. Yatch:

Our feeling was that with us -- and I think you will probably see it when people from the Zoo come through -- is that once a decision is made that we are going to form these public/private partnerships, we are passing a philosophical hurdle. Operationally, we still want to have the review from the city so that if it is not being operated properly, it can be taken back and/or it can be saved any misapplication of management talents to the facility. But once we pass that philosophical hurdle, we did not want to then have to continuously have to revisit it, because in our feeling, if this thing is properly marketed as a business, at some point in time it may become financially independent, it may come to a point where this facility is bringing in not only sufficient revenues to support itself, but to do other things around the community that are important. And at that point in time, we didn't want the politics of a financially solvent operation as opposed to one that is needing finance assistance, as it is now, to become an attraction for a government amenity, the members of whom we won't know at that point in time, to say, "We want to get back in the business. You have cured it, you have fixed it, we would like to turn around and come back." So we felt as long as we were doing a good job, as long as there was some independent measure as to how good a job we were doing, then we should be able to continue on.

Mr. O'Connor:

I guess you hit on what I am a leading to, too. If it is making a lot of money 29 years from now, the city may find better uses for that money. Not that we would have to take it over necessarily. Say whatever reason your profits in excess were \$1 million and you were helping the different parks and swimming pools, et cetera, but yet, there might be greater need for a policeman or whatever.

Mr. Yatch:

I can remember when, for example, the city fleets, including the police fleet, the garbage fleet, were a part of the regular budget process of Council, and that was when I came up with the concept of creating the Equipment Leasing Authority. I can remember each budget year when we got down to the final budget decisions, when money was needed somewhere else, people would say, "Let's not buy those vehicles, let's not do this." At that point in time you could open up the trunk of every police car and see the street because there were no trunks left. The garbage trucks were sitting down there not operating.

I can understand that there are financial problems that a city might come into. But for them then to take away from the facility that is running well, is growing and providing an attraction for the city, is not necessarily the proper way to deal with that. We don't feel it is from the private sector.

So we are saying if this is going to be a botanical operation and make it, it is going to be run as a botanical operation, let's make it grow as a botanical operation, let's keep the attraction in the city, you benefit from the taxes that commercial business draws, and let's make it grow and become more of an attraction.

Mr. Turner:

The other aspect we talked about throughout this is that we recognize that for the Friends to be as successful as they would like, they are going to have to attempt to attract millions of dollars from the private corporations, from the foundations. The fact of the matter is they are more likely to do that if these entities know that the operations will remain under a private organization. If these entities believe that by them giving a \$5 million grant to build a new facility which brings in more people and that the city will then turn around in order to sort of take the benefit after the fact, they are going to be more reluctant to give the funds. So we really felt it was in everyone's best interest to go this route. Again, there is an outside entity that comes in if there is any question whatsoever.

Mr. O'Connor:

Getting back to the other question, do you agree with Council having the final approval on any major expansion, what we talked about?

Mr. Yatch:

If there is a way to structure it that Council participates in that review process with the city so that when we get final approval from the review process, Council has already approved that, that is fine. I would rather not create just another step, you know, and time frame to go through. If that can be done, you know, we have no problem with it. And we would like the time frame, again, to be encapsulated within what we have put in the document, that if we ask for something to be done within a reasonable period of time, and we defined that I think at 60 days, that the city be able to get back and respond to us. So if you can structure it some way with the city that you participate, but then having to go through a series of hearings -- for example, it gets to Council, we go to public hearings, we then have the scheduling of the public hearings, we then have scheduling of meetings beyond it, it becomes a very lengthy cumbersome process in order for us to be able to make decisions.

Mr. O'Connor:

Then I understand we are here, I guess basically to save money, and private organizations like yourself can go out and get money easier from grants, donations than the city would and hopefully you will run it better.

Mr. Yatch:

From a broader region, as well, we think.

Mr. O'Connor:

Where is the word public/private partnership? I thought we were partners, but every time we want a say, in other words, at the end of 29 years, we are not trusting nine Council members here as partners with whomever is going to be here 29 years from now to say, "Hey, it is going great. Let's pursue it, or make a change, or do this or that," and when you want to make a major expansion, I am interpreting it myself as a landlord or our representatives, and I am here to protect the people, and we are giving this over to you lock, stock and barrel tomorrow morning, but yet you have no faith in us to oversee big expansions, large expansions. We are not talking about gardens. Or at the end of 29 years to give you another 29 year option. That is where the public partnership, I don't feel like I am very much of a

partner after tomorrow.

Mr. Yatch:

Two separate issues. Let's talk about the expansion. As I said, I don't have any problem with the Council's input and Council taking it up and considering it. We'd like to have it put together in framework where the time frame becomes more manageable to be able to make a decision; rather than the process becoming an impediment, more the process becoming something to help it move along. That is all we are concerned about. We have just been concerned about time frames. It has taken us a long time to get here and we know it is a very deliberative process, and it is not only Council, it is the whole process we have to work through. If it was only getting Council's approval, I would turn around and say yes,, and I think everybody on the executive committee would say yes, too. But by the time we get it to Council, we have already gone through Historical Commission Review, which I think everybody would say is very, very exhaustive process to go through in order to get approval, and we have already gone through engineering and design approval with the city and/or the Planning Commission if it requires any changes in the foot print and changes setbacks or any other zoning.

Mr. O'Connor:

How long have you been working on this project, your organization?

Mr. Yatch:

About two years.

Mr. O'Connor:

How long you been working with Council?

Mr. Yatch:

If you are go to the formal process, a couple of weeks. All the process, probably about two months.

Mr. O'Connor:

We had a half hour meeting with a couple members and two weeks ago, so I don't know that two weeks with Council is worth tying things up that much.

Mr. Turner:

Councilman, I am sorry, that is probably in my domain, not

theirs. Most members of Council have been aware since the beginning of the year that we were negotiating this. You can't present anything to Council until you finalize negotiations. The minute we reached agreement, then we did come to Council. We recognize and I think all of us have to recognize in a public/private partnership such as what we are proposing here, we give up some things, we give up some control. They are no longer our employees, we don't have the same prerogatives that we held before. What we gain from it is (A), some financial assistance immediately, a lot of financial assistance down the road, and I think what we gain more than anything is the belief that these facilities can prosper much better under their organization than they can under ours. And that benefits the general public.

So if there has not been sufficient time, that criticism falls more on my lap than the Friends.

Mr. Ferlo:

My only comments to my colleague, Mr. O'Connor, we keep referencing these questions like, "Is this all right with you," or we make reference that everything in here is just the way it is going to be. I don't come from that point of view. If we want to change it or change Council's input in terms of the review and approval process, if we want to change the lease term, which I hope we do, that is our prerogative. If they don't like it, they can agree not to do the deal. But I don't like the notion that is going around this table all the sudden that somehow we have to react to this document without ourselves knowing how we want the rules of the game to be.

Mr. Turner:

It is very clear that this partnership requires all three parties to okay it. If Council doesn't okay it, it doesn't go forward; if the Mayor's office doesn't okay it in terms of signing the contract, it doesn't go forward; and if the Friends of Phipps cannot live with what is presented to them, it doesn't go forward. So it does require all three parties.

Mr. Ferlo:

The problem I have with this, as well as the Zoo deal which I am sure we are going to rush to judgment on before you folks leave office, which is the reason why I am not going to vote for this and I am not voting in favor of the Zoo deal --

Mr. Turner:

We haven't even presented anything.

Mr. Ferlo:

It is very clear now that that is the next thing that is forthcoming. I just have a major problem in terms of the tenure of this Administration leaving office at this time and rushing to judgment on this deal, as well as the proposal that I assume will be presented to us regarding the Zoo. And I just have a problem with this whole process, the manner in which it is being done.

The nonprofit group that is being formed, obviously has spent a lot of time and has thought a lot about the issues. The Administration I assume has thought a lot about the issues. I don't feel that this Council, despite the fact that this is the second discussion --

Mr. Turner:

Third.

Mr. Ferlo:

Whatever, I think it is the second discussion, unless there was a discussion I missed.

Mr. Turner:

I have been to the table three times on this subject.

Mr. Ferlo:

Anyway, whether it is the second or third discussion at the table, I just feel that we are rushing to judgment and not critiquing properly a lot of the issues. I feel like if we don't-- there are a lot reasons why the front lawn should not be eliminated or be part of any expansion, and I feel that is a strong enough issue that if we need to, we need to amend this agreement. But I don't think we need to sit here and argue about whether or not at this time we want to give the prerogative to the nonprofit or to the Administration. I think if the majority of Council members feel strongly about the issue of the importance of the parcel as it relates to the rest of Schenley Park and not expanding out into the front lawn, which at least I agree with, that is something we can make a part of this agreement.

Mr. Yatch:

I have never tried to indicate anything other than that in any of my conversations with Council, and I don't think that we have taken at all any kind of an adversarial position on anything. We just have been trying to put ourselves as volunteer business people in the position of saying we have an

institute to run.

Mr. Cohen:

I am sorry to interrupt you. If you could, please speak clearly. Unfortunately, the stenographer is farther away from you than anybody else.

I interrupted him, so I want him to be able to finish.

Mr. Yatch:

We don't feel that Council is an impediment, nor do I feel that Council has at all impeded our progress. As you say, it has been a short period of time that it has been in front of Council and the reason why we want to take the time to answer the questions.

I have no concern with what Council will do if we have historical review and we have design review from the city. I don't believe that Council would have a majority vote to stop anything that has gone through that kind of a process. All I am asking for, and perhaps the easiest way to deal with it in language, is that that approval from Council will not be unreasonably withheld, and we are just trying to move the time frames along so that once you get into it, we just don't get embroiled to a point where we can't make business decisions and move things along.

From a construction point of view, a good example was I brought up at the last meeting concerning what we are doing right now to open for October 15th. Those decisions are important to us to save the winter show, and as we indicated, to save Fright Night we need to be done by October 15th. In order to do that, we had to enter into contracts and order materials and encumber ourselves, and the directors had to encumber themselves personally in order to turn around and have that equipment, materials and supplies ordered. So the timing of these things are important to us, and not from the point of view that we don't trust anybody, it is just that you get to the point where you are legally bound and you are waiting for a different process to move itself along.

So if that language that the approval will not be unreasonably withheld satisfies it, I have no difficulty with Council having the final say so in the process, in terms of how we design this structure out into the future.

Mr. O'Connor:

To answer Mr. Ferlo's question, there are three different Councilmembers, Smith, Onorato and myself, who have not gone through this procedure before.

I am not against public/private partnerships simply for the reasons that you can certainly cut our losses, you can run it a lot better, and you can raise a lot of private money that we are

unable to. I don't want to set a path; I agree, the Zoo is going to be a completely different story, but let's take one at a time.

Therefore, saying that, with this public/private partnership, I don't feel a partner. When I say "I," we have nine Councilmembers here who represent everyone in the city. We are going to make a decision for not only all the people right now, but for our grandchildren what decision we make. If we want to turn it over to you for 29 years without any say in the next 60 years, it does not feel like a good partnership with us. If we have no say so in the overall expansion programs, then I don't feel like a partner, either.

Mr. Yatch:

I just said for partnership purposes I have no problem in the say so in the expansion, as long as, again --

Mr. O'Connor:

We are talking about major expansion.

Mr. Yatch:

That is fine. As long as it is defined as that.

Mr. O'Connor:

Mr. Ferlo just brought up a good point, or you did, Fright Night and all that. This is the park and I am very concerned about the park. So I have to feel comfortable that this Council will have a say on this, whether we take it out altogether of this plan, which may be the best thing, I am not opposed to it, we may have to amend it to say that. The reason, Jim, I bring it up now, unless we feel comfortable the way it goes down today, we can take it out tomorrow.

Mr. Yatch:

I think it is reasonable for you to have the input and I don't have any problem with that language, again, as long as it is major construction we are talking about.

As far as keeping that, you know, we incorporated that front lawn largely because we were taking over the liability, we were taking over a lot of the aspects of operation of that facility that would normally fall on the city. It gets very complicated if you are going to be liable for injuries, slip and fall cases and everything on people walking up on the sidewalk going in. If you are going to keep the lawn and maintain it, we want to make sure, then, there be language that you are maintaining it in a manner that is going to be beneficial for the use of the facility. It was easier for to us do those

things ourselves. If the language allowing you to have the final say so on major construction satisfies that, then fine. We will deal with it.

Mr. O'Connor:

I have one amendment to that. The other amendment would be -- before I put it in and we are tight in time, as you know, tomorrow is the final vote -- I would rather see a 29 year with a 29 year option. At least 29 years from now you come in front of Council, whomever. Again, I think this Administration and Mr. Turner is working in the right direction. 29 years from now we don't know what direction we want to be in.

Mr. Yatch:

Twenty-nine years from now you do have the option to tell us we are not running it properly, and at that time it goes to arbitration. If we lose the arbitration --

Mr. O'Connor:

The arbitration is three people.

Mr. Yatch:

That is usually how arbitration works.

Mr. O'Connor:

But I thought a partnership should include nine members of Council. That is how I see a public/private partnership.

Mr. Cohen:

Thank you, Mr. O'Connor.

Mr. Cohen:

Other questions and/or comments? Why don't we go around?

Mr. Ferlo:

I have already indicated my displeasure with the way the Administration has proceeded on this, as well as the Zoo. If the majority of Councilmembers are going to be hell bent in approving this, I hope that we can make some amendments.

I didn't understand the issue of the art pieces, and I asked that last week. When I read this, it seemed to me that this nonprofit group that is being created can go out and sell the art pieces. Where is that specifically?

Mr. Turner:

I will find you the section, but what it says in here is they can't do that without city approval. Maybe all the other questions --

Mr. Ferlo:

The only thing I could find is that anything that gets sold, the implication is -- first of all, I don't like the notion that this group all the sudden can decide that they don't like the palm trees from 1893, and that is sort of implied in this agreement.

I am not clear where this art thing is.

Mr. Turner:

Section 405, Page 15. It covers all items that exist at the facility and those are to be listed in an attached schedule.

Mr. Ferlo:

Maybe I was not aware of it. I don't think we have a copy of Exhibit F.

Mr. Turner:

I am not sure you do, either. I will make sure get it.

Mr. Cohen:

Gentlemen, is it in the business plan? There are exhibits to the business plan.

Mr. Yatch:

The Exhibit F is going to be the city's exhibits. You get to list whatever it is you want in there.

Mr. Ferlo:

What is Exhibit F? I don't know. I couldn't determine what Exhibit F is.

Mr. Young:

It is inventory.

Mr. Ferlo:

What is the inventory?

Mr. Young:

Inventory of plants, we are going to have an inventory of the art pieces that are out there.

Mr. Turner:

I have a copy of it, and I will get it to you if you don't have it. It basically lists all of the antique garden ornaments that are out there, item by item giving an appraised value. None of those can be sold -- and there are 23 of them -- without city approval.

Mr. Ferlo:

Again, the city approval is the Director of Parks, not this Council.

Mr. Turner:

I am happy to amend that so that approval will be by the city as ratified by City Council. What we try to do there is put protection so that if they are running into a financial problem, they can't turn around and sell items. But I am happy, anybody can approve that.

Mr. Yatch:

That is acceptable.

Mr. Cohen:

Mr. Turner, if I may ask one follow-up of Mr. Ferlo, I assume it includes the bronze sculptures that are at Phipps, too? Or maybe you should just provide it to us and we will look at it. I think those are perhaps the most valuable separate items are the sculptures.

Mr. Turner:

Yes, it does; sculpture, bronze.

Mr. Ferlo:

Is there a revised version of the Phipps master plan? I don't know that it has ever actually come before Council, the actual master plan.

Mr. Yatch:

No, it has not come before Council.

Mr. Ferlo:

Do you have a copy of this document you referred to as October 8, 1991 Phipps Master Plan?

Mr. Turner:

I don't have it in front of me.

Mr. Ferlo:

Can you provide it?

Mr. Turner:

Sure.

Mr. Ferlo:

The implication is that in accepting this, we are also accepting the master plan contingent upon a review by Engineering and Construction and not necessarily this Council.

Mr. Turner:

And what everybody I think has agreed to, that it would come to Council and as long as Council approval was not unreasonably withheld with respect to major expansion.

Mr. Ferlo:

Did the Administration or the Economy League delve into this issue tactically of -- we have already acted on the Aviary. I didn't support that proposal for a number of different reasons. Now we are here with this proposal and I assume before the end of the year we will be asked to deal in some fashion with the Zoo.

Was there any thought or strategy projected by the Administration in terms of just the manner in which we create these third parties, albeit we have energetic folks in each camp, the Aviary, and Conservatory, I am sure there is just as equal committed work group around the Zoo interests, the whole issue of them being separate and distinct? It seems like most of what is being motivated here are business principles, not so much the botanical nature of the facility, it is the business principles of running the facility differently than the city has run it in the past.

I am wondering whether or not there was any discussion or thought given to the economy of scale in terms of the business principles being applied to each one of these facilities, not necessarily separate and distinct, I mean, the same kinds of concerns that are confronting the Zoo, be it admissions or gift

shop or management or employee benefits or contracts, you name it, are the same principles that at some point have to guide the Aviary, as well as the Conservatory.

I am wondering in terms of this projected notion of having an institution district, whether or not it is advisable to create all these separate and distinction entities. I just feel like we are giving up what the Administration -- at least this Administration -- has viewed as an albatross as opposed to a treasure, and we are creating the separate and distinct little institutional fiefdoms. And I am worried not only about the economy of running these various facilities and how that is going to fit into ultimately to creating some funding, in terms of a governmental stream. That is why I am uncomfortable voting for this as well as the notion of the Zoo.

Mr. Turner:

Each organization as well as the Allegheny Conference that has been spearheading the Regional Asset District concept recognizes that this is basically Step 1 of a two step process. Step 1 is to have them become privately operated and to improve them to the extent that they can. However, I believe that everyone recognizes that until such time as there is a Regional Asset District and there is full regional funding for these facilities, each one is going to, while I think they can improve upon what we have done to date, they will not reach their full potential until there is a Regional Asset District in place. No one views this as other than Step 1 of hopefully a two step process, and that that is the logical next step, and everyone is in full agreement of that.

Mr. Ferlo:

It is a question of how do you link one to the next step. I feel if anything, we are creating this little management separate and distinct facilities that will have their own little political power bases, their own little management bases, jobs being given out to friends, you name it. I don't know how you go from that to, then, this greater issue of how we are going to have an institution district.

The other issue is if anything, I think in a way we are doing just the opposite. We are creating a situation where the suburban non-city resident community at least in the past were relying on the city to operate these. Now we are creating a climate where the city is not going to operate them and we are creating these separate and distinct nonprofit entities. If anything, now there is a disincentive for the non-city residents to feel like they now need to have some of that burden shared to them. If we are taking this now and eliminating the burden from city residents -- when I say "burden," I mean in terms of the operating cost issues and all that, and now we have these separate and distinct nonprofit groups. At some point,

theoretically, we will get to this point of having an institution district. What is the incentive to non-city legislators and others to push for this now that you have sort of spun them off, eliminated them from the operating budget of the city? There has to be a connection there and I don't see happening. If anything, I think a lot of these non-city residents say, "Why should we have the burden now? They are off and running, they are doing their own thing. Why should we be burdened?"

Mr. Turner:

To answer your original question, this issue was discussed extensively with the Economy League and the Allegheny Conference, as well as with members of the boards of these various supporting organizations. And the general belief from everyone is that (A), this would not hinder the final effort of going to a Regional Asset District, and (B), it would include facilities and would indicate that while they are moving forward and have made progress, the fact of the matter is that there are still substantial subsidies required to operate them, and that it should not hinder from a political standpoint ultimately the creation of a Regional Asset District.

Mr. Ferlo:

You don't think in terms of the initiative by all three of these groups, because this group is relying heavily on the notion that they will get contributions from the private sector, that there will be some element of competition between the three nonprofits that are being created?

Mr. Turner:

There is some element of competition right now. There has been and that will remain. Until there is full funding from a Regional Asset District, sure, there will be some competition. Hopefully what the competition will do is make each of them a little sharper, rather than reverse. But no one is going to say that there hasn't been competition before nor is there now. Sure there is.

Mr. Yatch:

By the way, speaking from a board perspective, the boards are talking with one another and working cooperatively with the Allegheny Conference as joint groups. It is our memberships, we feel, both the Phipps membership, the Zoo membership, the Aviary membership, the Carnegie membership that is going to bring the driving force on the legislators.

Mr. Ferlo:

The Allegheny Conference, and whomever they represent -- to me, it is always unclear who they represent -- they project these lofty notions, and when do they put their money where their mouth is? I keep going to these lofty planning forums that they have, and I never see anything materialize in terms of leadership on their part. I never see where the leadership is. Where is the leadership?

Mr. Turner:

The question to me is where is the leadership of the Allegheny Conference?

Mr. Ferlo:

We keep making reference to the Allegheny Conference and somehow we are looking to them to provide the leadership. Where do they provide it? It is nice to provide this input from a planning point of view. When and if do they actually come forward with material assistance?

Mr. Turner:

With respect to this effort, I am aware that, in fact, the Allegheny Conference has had numerous discussions with both the legislative leadership of the House and Senate in Harrisburg on this, as well as with the County Commissioners, as well as with the democratic nominee for Mayor. And what they are attempting to do is trying to get everyone together at the right time to go forward. Now, whether they will be successful or not, I don't know. It is an uphill battle, it has been for a long time.

Mr. Cohen:

Are you finished, Mr. Ferlo?

Mr. Ferlo:

I guess.

Mr. O'Connor:

I want to follow-up on Mr. Ferlo. Mr. Ferlo brought up a point that rang a bell here.

If everything goes through and regional taxing comes in, all the sudden we are off the hook, but also we have no say. I guess we are giving everything up. You know, there is still -- how much did we put in last year, tax dollars?

Mr. Turner:

Probably about \$800,000.00. It depends on how you look at it.

Mr. O'Connor:

Would you say for the last ten years basically the same thing, more or less?

Mr. Turner:

Yes.

Mr. O'Connor:

Anyhow, the taxpayers of Pittsburgh have kept this afloat for the last 50 years?

Mr. Turner:

Absolutely. Taxpayers of Pittsburgh have spend millions keeping it afloat.

Mr. O'Connor:

Whatever is there, they have a heck of a stake in it?

Mr. Turner:

They should be applauded wildly for this.

Mr. O'Connor:

If things come back, the benefit, whether it be regional taxing or whatever, still should somehow benefit those taxpayers that have been paying this for years. I don't have any answer for it. It is like, "Okay, here it is. No regional taxing, and the suburbanites have just as much say as we do."

Mr. Young:

From the standpoint of these facilities being in the City of Pittsburgh, we have all recognized that they are regional assets that are located in the City of Pittsburgh, and from that standpoint they are in closer proximity to the residents of the city who can take certainly better advantage of them. Again, Highland Park, whether it be the Zoo, or in Schenley Park, whether it be in Phipps Conservatory, our residents are close to it and can take advantage of it from that standpoint.

What always bothered us is from the standpoint of the number of people that go there, that almost three-quarters of

the attendants were people who don't live in the City of Pittsburgh, who don't foot the tax bill that the city residents do. It is hoped that some broader base can be arrived at, because we feel that these facilities are never going to be in a revenue position where they will make a lot of money just by people who come through the turnstile. It is just not that kind of facility. Most other facilities that are like this get some other subsidy.

I think basically what we are doing is we are moving towards what other regional entities have done in trying to get the region to recognize this asset that we have.

Mr. O'Connor:

If we don't own it, the city --

Mr. Young:

We still do own it, we are just providing it to someone to operate who would we think can operate it a little better.

Mr. O'Connor:

If regional tax comes in, will you still get your share by you running it, us?

Mr. Yatch:

Yes. What happens is it offsets in the lease, automatically it offsets the city dollars two for one. Every \$2.00 we get from the regional assets authority reduces the city's responsibility to put a dollar in.

Mr. Turner:

If they received 800,000, then our \$400,000.00 subsidy would go away.

Mr. Yatch:

That is assuming that the Regional Assets Authority is in place prior to the end of the lease. If not, we had to make a business decision assuming that the Regional Assets Authority doesn't happen. Our investment in this, personal investment in this as citizens, is that as a business, we are assuming we don't get it, and we are still going to have to run it. It is still going to have to be run and improved.

Mr. O'Connor:

But five years from now if there is a regional tax and you are losing, say, half a million, will you be eligible for some

of that money?

Mr. Yatch:

That is correct.

Mr. Turner:

It depends on how the state law is established.

Mr. Ferlo:

As a follow-up, it goes back to the tactical issue, and again, this is not in any respect a criticism of the working group, the nonprofit side. But tactically, most of the revenues that have been generated, at least of late, have gone to the county as a political subdivision, not to some nonprofit group and not even to the city. I am wondering tactically whether or not, because we are at a cross roads here in terms of politics of dealing with these large institutions, and the concern I have is whether or not these facilities shouldn't better be given to the county or some negotiated agreement with the county who more likely would then become the subdivision to receive these revenues in terms of an institution district. That is why I would rather wait until next year when we have a different administration who can politically deal with the Commissioners in a different light than this Administration has been able to do. I am not criticizing either side, I am just saying there has not been the kind of working rapport. What I fear is because we are quick to rush to judgment on getting rid of these nonprofits for the pressing budgetary operating budget demands that we have, we will be creating these separate fiefdoms who I think are going to ultimately have some problems in terms of there is a transition that has to happen, and I don't see the transition going to these separate and distinct little nonprofits taking over the institutions, and then all the sudden this big white knight comes on a horse called the institution district and it is going to respond politically to these nonprofits. I think it more likely would respond to the county as a political subdivision who would receive the accrued benefits from the institutional district, much in the same way as they just proportionately received the revenue from the increase in the hotel/motel tax.

I feel like we are rolling the dice, getting rid of them for the sake of this year's operating budget, without knowing what is the next step in terms of the guarantee about the institution district and all that. I feel like we should wait and see whether or not the county wants to be a player in these institutions. As the Director says, disproportionately more than 60 percent of the attendants at the three facilities are non-city residents.

Mr. Turner:

Politically the issue is whether or not you are more likely to get a Regional Asset District if the entities are (A), city owned and operated, (B), in a public/private partnership or (C), county owned and operated. I believe politically you are more likely to have it in a public/private partnership, because I believe, whether it is true or not, that there is a great deal of skepticism as to a municipality, whether it be a city or county, and their ability to operate as efficiently as they possibly can. I believe that in a public/private partnership where they are operated privately and they are still running a deficit and can still demonstrate a need for additional funding, you are more likely politically to get it. But it is just a judgment.

Mr. Onorato:

First of all, I want to say that I totally agree with Councilman O'Connor and Ferlo that Council has to be added. We can put a time frame in there. As a matter of fact, on Page 12 you have a time frame for the Mayor's office which has to respond within 60 days, and think we can handle that.

Mr. Ferlo:

As long as it is a parallel process.

Mr. Onorato:

Time is not a problem as long as we have a final approval process here, because of the nature of the project and the fact that the city does own it and we are leasing it for \$1.00. Everywhere there is an approval process.

The other thing about this regional assets funding, listening to the conversation today, maybe what we should add to the lease and think about adding to the Aviary lease, especially since they need dollars from the city also, I am sure they will be willing to do this, maybe have a section here that strictly speaks on the issue of Regional Funding Source/Authority, if that is developed from the state, and who knows if it ever will be, that any profit/private institution that was developed from this body and is operated in the city -- as you mentioned, Director, which would be the Zoo, Aviary and Phipps -- will come together and address the regional funding as one unit, the boards. This way, it will tie them all together and we wouldn't be going up there separately fighting, that if it is developed, we will come up with a plan with all of us in a room, not individually, for the institutions that are in the city.

Mr. Yatch:

If you include the Carnegie in that, it helps us even more.

Mr. Onorato:

That is fine. We can go down the list and make sure we have everyone. This way it will control the in-fighting that could possibly take place.

Mr. Turner:

We will add a clause like this to this agreement and also submit something to the other entities.

Ms. Smith:

I have a whole page of questions. Is the scaffolding complete in Phipps? Is it up?

Audience:

No. They started, but it is not complete.

Mr. Turner:

In the process.

Mr. Smith:

I am asking that question due to the fact that you told us you wanted to proceed and we are being pushed along here to transfer this, and I thought you'd be ready to start since you have an October 15th deadline. But that is okay.

Mr. Turner:

It is in the process now. Erecting the scaffolding is not a minor event, so it is in the process now.

Mr. Smith:

I am familiar with the Palm Room.

In terms of the front lawn, I believe there was an earlier discussion in which my colleagues were worrying about giving up the front. I support not giving up that front territory. But you said you wanted it because you wanted to maintain it.

Mr. Yatch:

No.

Mr. Smith:

I think you said "mowing the lawn."

Mr. Turner:

He did not, because mowing the lawn stays as the city's responsibility. What they do out there is a lot of planting.

Mr. O'Connor:

You are right, though, Chris.

Mr. Turner:

No. You check the transcript. I would have jumped in on that.

Mr. Yatch:

I said from an insurance point of view that we were going to assume liabilities and risks out there on the front lawn, that as part of the overall assumption of responsibility, we do that. And I did indicate that in the front lawn other than these major changes, that we would be looking at doing plantings and gardens and rose gardens and other things out in the front lawn. Again, it would require some approve and notice from the city, but we want to have the latitude to make it botanically more attractive out there.

Mr. O'Connor:

I think Councilman Smith is right. I think somebody mentioned cutting the lawn, because I thought it was in the agreement.

Mr. Smith:

Is there some way we can get that page for tomorrow, what was stated at the table?

Mr. Yatch:

If I said it, it was misstated. It was really for the liability issues.

Mr. Smith:

I wrote it down as you said it.

Mr. Turner:

Get a transcript, we will know. I will buy you lunch if it says that.

Mr. Cohen:

Pick the restaurant, Councilman.

Mr. Smith:

I have a series of issues I would like to have addressed. I found out something that was very disheartening. We don't have an updated version. I understand several of my issues have been addressed. Has anyone else gotten a copy with any changes?

Mr. Turner:

I am sorry, you do have an updated version. I can show you where that section is.

Mr. Smith:

Just tell me what page it is.

Mr. Cohen:

Of the lease?

Mr. Smith:

Yes.

Mr. Turner:

We are working off the same lease. That would have been in Section 1502, and that came over with my packet.

Mr. Ferlo:

Are we operating on lease 6793?

Mr. Turner:

Yes. That is what I have in front of me.

Mr. Smith:

Okay. Let's move on to botanical standards.

Mr. Turner:

One of the things that the Friends have agreed to do -- right now we are not accredited at Phipps. We have achieved national accreditation at the Zoo after a long period of time, and I believe the Aviary has now achieved national accreditation, also. What the Friends have agreed to do is establish a goal to attempt to achieve a national accreditation from the American Association of Museums, I think that does the accreditation, within a five year time frame. It is a long process and people will come in and review periodically, and then you go through a first draft, and at times a second draft. But one of the things the Friends want to achieve is to get this national accreditation within a five year time frame.

Mr. Smith:

Can I have that in the contract?

Mr. Turner:

Sure. As a goal?

Mr. Smith:

Yes.

Mr. Turner:

Yes.

Mr. Smith:

Also in that, could it be reported in the annual report what the status of that is?

Mr. Turner:

Sure. We will write that in, too.

Mr. Smith:

I have some questions about Section 1101, the right to rebuild, that is Page 23.

"Repair, rebuild as nearly as possible to its function." My question is how do we tie back? This is an historical structure.

Mr. Yatch:

Yes.

Mr. Smith:

Maybe I just don't understand what is going on here. Who gets final approval? Let's say this thing, it is made out of wood; correct? Cedar?

Mr. Turner:

Some of it is cedar.

Mr. Yatch:

Cyprus.

Mr. Smith:

Cyprus, whatever. It burns down to the ground, you want to rehab it, rebuild it, rather. How do we know what happens in terms of its historical reconstruction, or do you just say, "It is easy to put up 15 X 12 sheets of Plexiglas with some wire frame and this is the new Conservatory."

Mr. Yatch:

As an historical structure, automatically it is required to go to review for restoration. If you had any historical structure that was damaged, you would have to then restore it pursuant to the guidelines set up by the historical district.

Mr. Smith:

What if that is completely gone? Is that restoration when there is nothing but ash and sand on the ground?

Mr. Yatch:

Absolutely. If you rebuild it on the site, it has to be rebuilt in the same fashion.

The only reason we said "As nearly as possible," for example, there will reach a point in time where there is not first growth cyprus, that you just cannot get it because it doesn't exist anymore. Much of the cyprus they are doing right now they are either discovering at the bottom of swamps because the logs have already been sunk and they are trying to find them again, or because of other facilities are taken down. There is not much first growth cyprus left.

Mr. Smith:

That is the clause that made me stop and look again. The parking on Page 27, you are going to lease this space?

Mr. Turner:

You are talking about the island?

Mr. Smith:

Yes.

Mr. Turner:

Right now the island is used for -- there is no money coming from that island area now, but right now during show time, X number of times a year, that island area right in the middle there is used for Phipps Conservatory parking. Parking is a real problem out there, and what this permits them to do is let them use that island just as we do now without any change.

Mr. Smith:

Do they charge for use?

Mr. Turner:

No.

Mr. Yatch:

When it is not being used for a Phipps event, it is being used by the general public. We need it for events and events you have come out to see. It is just difficult for us to find parking.

Mr. Smith:

I don't want to deny you that parking lot, I want to know if you will make money off of it, that is all.

Mr. Yatch:

No.

Mr. Smith:

Okay. I expect to park free.

Mr. Onorato:

You might get a ticket.

Mr. Smith:

I've gotten them.

Let's go all the way back to the front of the contract and go with Page 8. In Page 8 you discuss -- let me turn slowly -- non-discrimination. I think it is admirable that you put in those federal requirements for non-discrimination. What I would like to see is the city's affirmative action policy included in your statement. That means that you would set up a goal that matches the city in terms of hiring practice.

Mr. Yatch:

I have no difficulty with that. I participated in creating that initially working with you and with Reggie.

Mr. Smith:

Okay. Since you are in such a gracious mood, let's move onto an MBE/WBE goal as stated in the city. The reason I am really pushing for these, gentlemen, is that we are mowing your lawn, we are giving cash, we are giving you a parking lot in perpetuity, and I think that the benefits should be shared by all of these gentlemen's sisters and mothers who may have a business that would like equal access. And this is my only reason, is that I think it is a public facility.

Mr. Yatch:

It is not because I am in a good mood or gracious, it is because it is right and we would be glad to do it.

Mr. Smith:

I appreciate that.

We have addressed the access for the poor. I like the solution that you have offered for the two open days. I also like the idea that you went one step further and are going to attempt to do some group rate things that would address specific target populations, so I applaud you for that.

- - -

(Whereupon, I was temporarily relieved of reporting this meeting by Mary Anne Bruska.)

- - -

(COMMENTS ON BILL NO. 2571)

Mr. Smith:

The fiscal and performance audits of the facility, we will have in perpetuity?

Mr. Turner:

Yes. That last sentence of that section, you have that section in front of you?

The Chair:

Page 28, I think.

Mr. Turner:

Section 1503 if you read the last sentence this section shall be effective during the entire term of the lease including any option periods.

Mr. Smith:

I'm a happy man. The next thing that I had --

Mr. Ferlo:

-- may ask a question? Your reference is the authorized representatives of the landlord, is that separate and distinct from the City Controller in terms of the Home Rule Charter provisions?

Mr. Turner:

No. I am sorry I lost it again.

The Chair:

The top of Page 28.

Mr. Turner:

No. In terms of the auditing function there which is one of the items listed, we viewed that as the Controller's Office.

The Chair:

I think that can mean --

Mr. Yatch:

It also allowed the City itself to turn around and hold audits administratively prior to going through the Controller's Office.

Mr. Turner:

The City is the landlord and not the Administration and the Controller is the authorized representative with respect to auditing.

Mr. Yatch:

It gave you more latitude with that language than more restrictive language would have.

Mr. Smith:

Thank you. I'm a little lost on Page 4 gentlemen in which we are excusing is the last sentence of the first paragraph, "Landlord shall indemnify and hold harmless tenant from any environmental liability rather than from landlord's use of the additional parcel." Could someone explain that to me?

Mr. Yatch:

On anything that's left over from the vehicles. If we go to build on that site or we take control, we assume that you are going to have to do some environmental audit on the site before you start digging up earth and constructing it. We want to make sure that if there has been any pollution back there and it's been in the City's access and the City's created it, we would like the City to clean it up rather than putting an additional financial burden on an entity that already has some difficulty.

Mr. Smith:

Remember, we're the entity with the financial burden and that's why we're giving it away.

Mr. Yatch:

I'm assuming you'll be in better shape by that time.

Mr. Smith:

It bothers me that we're liable for an environmental clean up here that may cost -- what did we pay over here at the J & L site? I mean, we might very well find ourselves deep in debt and what ability do you have to press us into doing this if we signed an agreement that allows you the option of that land?

Mr. Yatch:

It's been my assumption that government if it causes a problem and knows that the pollution problem or environmental problem exists, it would take immediate steps to clean it up and it's an issue of what you know or don't know. The problem is at the point in time we decide to do some construction, that is the point in time you go testing soils and at that point in time you know and you can't use it, you can't keep it unless you clean it up because at that point in time it becomes knowledge and from the DER's perspective --

Mr. Smith:

-- but if we never give you the option on that parcel, we'll never know and we'll never pay for it.

Mr. Yatch:

I would hope just simply because you made use of it in the past that you wouldn't just lock a parcel of land without ever having any other use for it other than a salt pile. It's too beautiful a land just to reserve it for that but if there's a problem we're going to need your help to clean it up. If you choose not to clean it up that's between you and the DER at that point in time.

Mr. Smith:

At that point we have to clean it up but the problem is that we're giving away a facility because we're financially strapped and here's a clause that basically says we're not going to do anything other than find your problem and you have to correct it. That's my only fear. It's not that I disagree with that parcel, I disagree with the front by the way and support my colleagues.

Mr. Yatch:

Your capability of doing the construction work necessary to get the earth, your ability to dispose of it is probably going to be a lot greater than ours.

Mr. Turner:

We are not aware of any long term environmental problems we would have on the site however, in recognition that it is an area that has been used in a heavy industrialized nature over the years by the City, we were basically acknowledging that if at a point in time we did something improper back there that resulted in environmental damage then we will be responsible for the clean up. Again, we are not aware of any type of permanent damage and I'm not talking about surface damage.

Mr. Smith:

It scares me when the City says we will be liable for what we have done. My only fear is that we will not be in the position by the time you are with all of this wonderful funding and the regionalized mechanism that's going to come in place and we'll still be poverty struck, so I just have an apprehension and wanted to point that out to my colleagues that we are actually agreeing to clean up a problem when we will be saying yes.

Mr. Yatch:

I would assume that under the language of this lease, if you are not financially able to relocate and that would be one of the costs of relocation, then you do not have to give us the site. That was language that we fought over. We wanted it mandatory that if we exercised it we got it but there is language in here that says that if you can't afford to move and I assume that's one of the issues --

Mr. Smith:

-- no. It's not my point that I think we won't be able to afford to move, it's what we're going to be leaving behind that we have to clean up that I'm worried about. And I've been down in The Hollow and believe me, we've laid a lot of things around on that so I wouldn't eat a vegetable from five miles in either direction of that plot because I've seen the stuff that sat out there and rusted and rotted but I'm just bringing that to the attention of my colleagues. We are assuming a liability that's based on your option and that may cost us money down the line. We may also hear and shake our heads at a \$15 million cleanup where we have to remove a whole hillside and then replace it, so that's just my issue right there.

One more quick question. The \$13 million in insurance, out of all of this and everyone has talked about how much we're going to save and by the way, I'm going to divide up that \$1.4 million that we're saving annually when we get to the Budget for 1994.

The \$13 million in insurance. No one has yet given me a piece of paper that says this facility is appraised at "x" number of dollars.

Mr. Turner:

We didn't have an appraisal until they just recently did it and I'm looking from my note that said who did the appraisal and the appraisal came in at \$13 million which is why they got the fire insurance for that.

Mr. Smith:

Did we get the appraisal or did they?

Mr. Turner:

No, they did.

Mr. Yatch:

We got the appraisal because we did not want to turn around and insure something without knowing the value of it, so we got the appraisal. But that is what the appraisal came back at.

Mr. Smith:

I can't argue that one. All right. One last one. When do we get to see this? I understand we're supposed to vote on this tomorrow at 10 AM these changes, these corrections that we have been bantering back and forth and have agreed to?

The Chair:

You mean the changes that we've made today? I would hope that you'll have it --

Mr. Turner:

-- you'll have it before 10 AM tomorrow?

Mr. Smith:

I'm a real good reader but five to ten is --

Mr. Turner:

I will have them to you at 9 AM.

Mr. Smith:

That's reasonable.

Mr. Ricciardi:

Two questions. Director Turner, as you know the 1984 Lease Management Agreement between the City of Pittsburgh and the Pittsburgh Water and Sewer Authority gives a few million gallons of free water to the City without costs. Is there any mention in this lease and what section is it concerning who would be responsible for the commodity of water?

Mr. Turner:

What the lease says is what we have done with all of the nonprofit -- all of the organizations like this, the Aviary, the Golf Course and now Phipps and basically what it says is that to the extent that the City is permitted in accordance with the Water and Sewer Authority to provide them with free water that shall be the case but it's not a commitment. The City can't commit to something that is under the authority of the Water and Sewer Authority.

Mr. Ricciardi:

That is the reason I'm bringing it up.

Mr. Turner:

That very clearly says that and if you'll give me a minute I'll find it.

Mr. Ricciardi:

So this would become an issue before the board of the Pittsburgh Water and Sewer Authority; correct?

Mr. Turner:

Correct.

Mr. Ricciardi:

To date it has not been on the agenda of the Pittsburgh Water and Sewer Authority at all so I just want to make it clear that the group realizes that there has been no decision on this matter.

Mr. Yatch:

We recognize that and we also recognize that -- we hope that all of these public bodies recognize the financial condition of these institutions when they take all of this into consideration.

Mr. Ricciardi:

The second question I have, we did mention that they would be responsible for the parking tax which is 26 percent. Does the lease in any way mention the amusement tax of ten percent?

Mr. Turner:

No, the lease doesn't address that. To the extent that entities like the Aviary, the Zoo, Phipps, Carnegie Museum are

considered educational in nature and our Law Department has always ruled that they were exempt from the amusement tax. Even the Carnegie Science Center for example, the main admission there is exempt from the tax. The special exhibits that they put in for the huge movie theater over there is the only entity over there that pays it so they would be exempt under state law.

Mr. Ricciardi:

That's interesting. Maybe you could forward me a memo from the Law Department on education and nature because I think the viewing audience right now and some of our non-profit groups are coming forward and saying this is educational in nature.

Mr. Turner:

It's always a call that they have to make.

The Chair:

I realize we have had a lot of discussion here and I've talked with all of you several times, many times over the last several weeks but I do have just a few questions and some of them are follow ups on questions by other Councilmembers and then we will have a vote.

On the utility issue that Mr. Ricciardi asked about, he asked about water and sewer. I still don't completely understand the utility agreement with respect to steam heat. The City provides steam heat to Phipps and my understanding from that section of the lease is that we will continue to do so and a fee would be worked out based on the average immediate five years?

Mr. Turner:

Yes. Phipps gets steam heat from the Bellefield Boiler Plant which is a consortium out there that involves a number of the entities and when you look at the bills that they get, unlike anyone else that gets utility bills that are reasonably constant, there are these wild swings. Some years it's extraordinarily high and other years it's extraordinarily low and what the Conservatory -- what the Phipps folks were worried about is being able, given that they are a relatively small entity of being able to budget for these huge swings and so what we agreed to do is basically take the last five years average and then that's what we would bill them. In other words, our utility bill is \$10 million. A large swing there is a minor differential to us but to them it's a major, so we're always reimbursed for the steam cost but on a five-year basis.

The Chair:

Do you know whether Phipps use of steam heat over a long term, not the peaks and valleys say monthly but over a long term say five years, has it increased or decreased?

Mr. Turner:

I don't know that -- I do know that, it has increased.

The Chair:

If it's done so substantially -- do you know if it's done so substantially?

Mr. Yatch:

No. The steam heat has not been the problem but there has been repairs done to the boiler and that's when they peak out and that was our major concern that the consortium has been slow in catching up on some things and we just didn't want to get out there in Year One and get buried by an unknown bill that puts us below our budget so that we can't make ends meet when we have to have a balanced budget. So we felt that we could accurately reflect what happened over the last five years which gave chance for maintenance changes that have been made and not just pick a spot here that was low or high and that we continue that average out. You may be subsidizing us, you may end up in the long run if the boiler gets more efficient -- we may be subsidizing you.

The Chair:

What happens the next time the boiler plant breaks down?

Mr. Yatch:

If it breaks down --

The Chair:

-- the five year average makes sense but if there's a catastrophe who pays for it?

Mr. Yatch:

If there's a catastrophe --

Dir. Young:

-- the largest part of the boiler is really owned by the University of Pittsburgh and the Presbyterian University Hospital. They are smaller increments. The amount that comes to Phipps is one percent or just a very small percentage so what

they do is take the total cost of the renovation and divide that among all of the parties and ours has always been a fairly small amount compared to the other large users.

The Chair:

When it last to be rebuilt, would that be under this agreement the City's liability or PCI's liability?

Mr. Turner:

Ultimately it will be PCI's liability but on a five year moving average.

The Chair:

But I'm talking about also repairs to the boiler plant.

Mr. Turner:

The repairs are part of this bill and that's why I'm saying ultimately the Phipps folks will pay it but on a five year moving average to withstand some of the shocks.

The Chair:

And that's how you understand it Mr. Yatch?

Mr. Yatch:

That's correct.

The Chair:

The additional parcel that we discussed before the parcel in the back, I need to clarify it. My understanding is that once PCI gives the notice to the City that it wants to exercise the option for that parcel, the City then has a year to move the equipment?

Mr. Turner:

Yes.

The Chair:

I hope we do but if we don't move it within a year are we under a liability?

Mr. Turner:

No. We are not forced to. What it says is that is we recognize that ultimately they need that additional parcel to

live long and prosper and they recognize and we all recognition on both parties that we would like to move on. Now they can't exercise the option until they have commitment for funding in hand. So they just can't come in and say your year begins. They've got to have funding commitments in hand for the parking garage or for additional items that are listed there, but once they do have that then we have committed for a one year best effort basis to be out of there and I would hope we can do that. As I have indicated before, we are slowly but surely trying to move things out of there on a planned programmatic basis now because it's not an area that ideally we should be in.

The Chair:

Mr. Yatch, on the business plan that you provided us, I was looking at the exhibits and one of them is the Exhibit Four is the proposed income statements and I realize that these are projected but I'd like to ask you a couple questions about that. Do you have it in front of you?

The admissions go from 150,000 in the year 1993 to 529,000 so I guess perhaps to make it more -- to annualize it would be 300,000 to over 500,000. Is that based on the projected increase in number of people coming to Phipps or projected increase in the ticket price?

Mr. Yatch:

It's a combination of both but largely often the number of people that come to Phipps, we've noticed for example over the last four years or five years the attendance at Phipps went from 190,000 a year down to 150,000 a year. We recognize that we're going into this differently than the City. This is just not a City facility that's not going to be marketed. We now have an entity that has to attract people to it.

(AT THIS POINT, MS. KRIEBEL RESUMED STENOTYPING THE MEETING)

(CONTINUED ON NEXT PAGE WITH NO LOSS OF CONTEXT)

MARY ANNE HRUSKA
STENOTYPE REPORTER

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(CONTINUED ON NEXT PAGE WITH NO LOSS OF CONTEXT)

MARY ANNE HRUSKA
STENOTYPE REPORTER

(CONTINUED COMMENTS ON BILL NO. 2571)

Mr. Yatch:

We now have an entity that has to attract people to it. We are going to begin a marketing program. We believe that we can increase the attendance at that facility significantly both with the changes being made and with the marketing programs we intend to put in place.

Mr. Cohen:

I had asked you about fees at the public hearing, and I understand that you don't want your hands tied on that, but what is your thinking on fees right now in terms of how high they would go?

Mr. Yatch:

What we would like to do is increase the audience, so we are going to go to the marketing first, and when we determine what it is, what our traffic pattern is going to be, once we get to that point where we get a feel for where our traffic pattern is going, then we have to determine whether or not we need to increase our ticket prices in order to raise the operating revenues that are necessary.

It is hard for us to determine, you know, what the impact on ticket prices is going to be until we get a better picture as to how many people we can get through that front door.

Mr. Cohen:

I strongly, strongly encourage to you increase revenue through increased admissions and the marketing that, frankly, I think this group can do better than the city has done, than through increasing fees. I think that would be the wrong way to go.

Mr. Yatch:

That is our feeling, too. We still as a nonprofit are not trying to accumulate cash. We are trying to get the broadest number of people through this facility.

Mr. Cohen:

Yes. Three lines below that it says, "Donations," and that is a very small number there, but I want to understand what that is. That is different from donations from from the private sector, charitable donations?

Mr. Yatch:

That is correct. It was a budget item because there are small individual donations that come in from time to time.

Mr. Cohen:

Those are individuals?

Mr. Yatch:

Individuals that will send us \$25.00, \$50.00, \$100.00 in order to help it because they appreciated what they saw.

Mr. Cohen:

Does the bigger number of donations come into play at the bottom there on additional revenue to offset deficiency? I don't know if you see that, but it says "New corporate support, grants and foundations."

Mr. Yatch:

That is correct.

Mr. Turner:

And that is just operating revenue, that doesn't include any type of projected funding for capital expansion.

Mr. Cohen:

Maybe you can speak to what you expect. Again, this is a projection, but on the other hand, this is what all this is about, is to make sure that we get more corporate and foundation support.

What is your goal?

Mr. Yatch:

One of the problems that we and all the other nonprofits in the city are having is that corporations do not like to give money for operating purposes, so we did not plug in a big number for operations.

Now, to the extent that we are able to get more money put into the facility to better the facility, of course that is going to production additional revenues, because the attraction becomes higher with the quality of the facility being improved. We have not felt that foundation or corporate moneys are going to be plugging dollars in. That is one of the reasons why the Regional Assets Authority is so important to everybody, because that can be used for operating purposes solely. We have not put

in a large figure. If we exceed that, it just makes it that much better to do it.

Mr. Cohen:

Really, that is true of all foundations and all charitable organizations. But you have not included a capital budget here. Is there a working capital budget that would also include the expected corporate and foundation support for capital projects?

Mr. Yatch:

No, we have not. The master plan for the expansion is what the initial capital budget would look like, that is going to be our building goal, what we are going to attempt to do initially. A decision was made a week ago, as soon as we took over the facility, we were putting, as I said, the trust fund money of about \$1.1 million up to secure loans against the construction that is going to take place, the renovation taking place in the facility. We are going to immediately begin a building fund drive in order to turn around and have that paid for by the private sector in order to preserve that trust fund money so that trust fund money can be used as a seed for the greater expansion later on. We don't want to spend it out and turn around and say when we go to raise money out there, the first question they ask you is, "What are you putting in?" If we don't have something to put in, it is very hard to attract their support.

So we immediately are starting a building drive, a capital drive, in order to replace moneys that are going to have to go into this renovation, the \$800,000.00 to \$900,000.00 to go into this renovation that is going to begin Day 1.

Mr. Cohen:

What is your goal for the capital drive for the first year? I should first ask you, how long is the capital drive going to be in effect?

Mr. Yatch:

It is going to be ongoing. The first goal will be to raise the amount of money that is necessary to replace the funds that are being used out of this trust fund, so our initial goal is going to be between \$800,000.00 and \$1 million, depending on what those construction activities cost.

Mr. Cohen:

That is the Palm Court, essentially?

Mr. Yatch:

That is Palm Court, essentially, that is correct. We are not going to continue to do that for the West Wing because the city is making those renovations going into it. That, we hope, will be done in the first year. If we have a good centennial year, we are hopeful that that money will have been replaced. Once we have been in place and have an operating year under our belt, actually a year and three months, we can then start making judgments as to whether or not the community is ready to take on a larger expansion of the facility. For us to get to that now, I can pluck numbers out of the air, but we aren't inclined to do that.

Mr. Cohen:

I know you well enough to know that you would use realistic numbers on this. It is really \$800,000.00 to \$1 million you hope to raise?

Mr. Yatch:

\$800,000.00 to \$1 million is our initial drive in order to pay for the work we are putting money out to fund right now.

Mr. Cohen:

Just a couple more.

On the two days it will be open to the general public -- and I want to thank Councilman Smith for raising this at the public hearing and afterwards -- how will that work? My understanding is there will be two free days, but how will Phipps publicize it and how will people who might not ordinarily be able to afford going to Phipps be able to go that day, those two days?

Mr. Yatch:

For us, we do plan to go through the various community groups and basically let them know that it is available. Our feeling is that on that day there will be more people coming, once you say it is free there will be more people coming, so the likelihood of a person who is normally going to pay showing up on that day and having the crush of maybe a larger group of people is unlikely. We feel it will be available then for the people that we wish to have targeted.

You indicated we wanted to have people who financially are incapable of taking advantage of this facility. We could figure out no way of running that test unless we asked people to bring their income tax forms, and we didn't know how to do that, so we said open it to everybody and assume that those people who would like to see it, couldn't afford to see it, that is the day they

would choose to come.

Mr. Cohen:

Had you said that, then I would have responded, because I think it is so important that, at the same time, that you are opening it up to people who might not normally be able to afford it, but there is not a stigma attached to not being able to afford this. So that sounds like what you are saying.

Councilman Ferlo raised the question of the art pieces there, and I just wanted to follow-up on that, too.

The sculptures, I was informed that the sculptures there, which are just beautiful sculptures, are perhaps worth in the area of \$300,000.00 to \$500,000.00. So, Mr. Turner, do you disagree with that number?

Mr. Turner:

Well, everything all together, 23 pieces are appraised at 300,000 in total.

Mr. Cohen:

Okay.

Mr. Turner:

So I guess cumulatively, yes, that is a correct number. I will make sure everybody gets that.

Mr. Cohen:

Who did the appraisal on that? Was it the same company who did the appraisal on Phipps Conservatory as whole?

Mr. Turner:

Michael Malley Certified Appraisal. No, it was not the same one.

Mr. Cohen:

Okay. Someone who is expert in that area?

Mr. Turner:

Yes.

Mr. Smith:

Who had the appraisal? Was that at our request or PCI's?

Mr. Turner:

This one I think was at our request because we were the ones that wanted to have this done.

Mr. Cohen:

Okay.

I am in favor of the points raised before about Council approving major alterations, et cetera, about protecting the front lawn, because I think that is absolutely necessary. I would like to talk to Mr. O'Connor about the lease term issue because I think that is still an outstanding issue with the Chair of this committee.

I do want to commend everybody that has worked on this. I know you have worked for a long time, the task force and Phipps Conservatory, Inc., the many, many hours you put into this. I think that we have to preserve this fantastic glass jewel that we have in Schenley Park, and I think that this private/private partnership has the ability to achieve this.

One comment on a Regional Assets District. A lot of us at the table here have been talking as if the Regional Assets District is going to happen, but really, at this point I am not sure we are any farther than we were last fall when the Regional Assets District went down in flames in the State Legislature in Harrisburg. What I mentioned at the public hearing was that this public/private partnership is an accomplishment, but it is also a challenge, and a challenge for to us work towards actually obtaining that Regional Asset District, but not just for the Aviary, Phipps and Zoo, but I would like to include in there the entire Carnegie system, the Stadium, the Civic Arena and our regional parks. Unless we do that, we are going to be in serious, serious financial harm next year, and that is only the first step to be able to give us financial stability. So I hope that we can all work together towards that.

Mr. O'Connor:

One quick question. I think Councilman Smith brought up a very interesting issue. Your expansion, do you have a ballpark figure if you did go in the back?

Mr. Yatch:

The size of the expansion?

Mr. O'Connor:

Dollar wise.

Audience:

The total master plan was 20 million.

Mr. Turner:

That was front and back.

Mr. Yatch:

What we were putting out front would have to be put around the back anyway, when you talk about a visitation visitors' place. So we are talking a \$20 million expansion.

Mr. O'Connor:

My point is to clean up this, if it is a problem --

Mr. Cohen:

Environmental clean up?

Mr. O'Connor:

What if it is a \$10 million or \$20 million clean up? Should we put a number on it? I realize we would be responsible, I think it goes back to the original owner, whomever it might be, to clean it up. If we are in a partnership where you have \$20 million and it takes \$5 million to clean it up and we have no means of getting that --

Mr. Yatch:

My feeling is this: We have to demonstrate that we have the money to go forward with the construction. If we have the money to go forward with the construction and you are not able to clean up, and therefore, wouldn't give me the parcel, I am going to find the money to clean it up because I have it. There is going to be a partnership on how we move forward on doing this. You are not mandated to give me the parcel, you are only mandated to make reasonable efforts based upon your financial ability to do it.

If we go back there right now and I find a \$20 million clean-up and I can't pay for it, our entity can't pay it, I am going to turn around and say, "I can't go forward with the project." I will choose not to take it.

Mr. O'Connor:

The city, if someone on your board wanted to, if you raised 20 million, and you say, "We raised 20 million, we want to go ahead," and we are obligated by law to clean it up, what do we

do, where would we go out and get it?

Mr. Yatch:

You are not obligated to clean it up.

Mr. O'Connor:

By law.

Mr. Yatch:

Afterwards, that's right, if I didn't take it and you kept it because of the environmental problem.

Mr. O'Connor:

If you say, "We are ready to build," and it is a \$10 million clean-up, we are obligated to clean it up, we have to.

Mr. Yatch:

Under this lease --

Mr. O'Connor:

Even if you didn't want to, I think by law we have to clean it up.

Mr. Yatch:

If you cannot financially --

Mr. Turner:

The difference is there is often a huge difference between covering something that is already there, versus someone having to come in and do new construction, which then exposes items, which then runs into huge sums of money. In other words, it may cost us a half million dollars to keep it in place, intact, unmoved, versus \$5 million to actually clean it up. In that scenario we would be obligated for \$500,000,00, but not for the 5 million, because it wouldn't be cost effective for to us give them the parcel. That is the distinction I am making.

Mr. Yatch:

The other problem I ran into, if, for example, we took it today, we agreed on a lease today, there is nothing during that period of time between now and when we exercise an option on that or say, "We would like to build on it, we have raised money to build on it," if you went to put transformers back there and

leaked PCBs into the land, we would be stuck with taking a parcel that was not even in that condition when we originally made the agreement. We are just trying to put ourselves in a position that if it needs to be cleaned up, your ability to go out and raise the money to do it is going to be far greater than ours. If you are not able to deliver the parcel to us, I am telling you under the lease we will be working cooperatively to try get other sectors to raise money to build.

Mr. O'Connor:

I think the law is on the builder's side. I think we would be obligated. Whether you wanted to force us or not, we under the law would be forced to go out and clean it up. I am not against that, but if we are a partner, we are trying to save money here, and, as Mr. Smith said, we don't want to go under.

Mr. Turner:

The point I am trying to make and maybe not very clearly, for example, out at the Technology site where there is cyanide buried deep beneath the foundations of structures that preceded the steel mills, it have been there for hundreds of years, the solution to that is literally not to build on that particular location; in other words, not to sink piers and piles into that area. That is a relatively cheap solution, versus a huge cost of trying to dig up well underground and removing it.

If we ran into that type situation out there, where the cost of literally leaving it alone may be a half million dollars versus having to go in and disturb everything and rip it out at 5 million, then we would have the right for the cheap solution, the half million dollars.

But you are correct: Once we know that there is a problem, we could not leave an unsafe condition there and just say, "We know about it, but we are going to look the other way."

Mr. O'Connor:

I would like to question the legality. What you said I understand, but I don't know if legally we can do that. I would like our department to tell us legally we could fix it for a half million and not be obligated for the 5.

Mr. Turner:

That is just a hypothetical situation.

Mr. O'Connor:

I realize that. If they wanted to build, would we be forced to clean it if it was 5 million.

Mr. Turner:

No.

Mr. O'Connor:

I would like a legal opinion. I think we would have to be obligated at no matter what cost. If they leased it and wanted to build, I think we are obligated.

Mr. Cohen:

Let me follow-up, and I know there are others. Has anybody asked DER or has the Department of Environmental Services looked at this and given us any report on it at all?

Mr. Turner:

No. We have not gone out trying to find contamination.

Mr. Ferlo:

The way the wording is, the deception of environmental, the implication is -- and if I were a judge and read that, I believe what Mr. O'Connor is saying is correct; that if Phipps to their credit comes up with a \$20 million capital grant and say they want to build a parking lot or whatever they want to build on the back parcel, the implication and wording of this section implies that they would have legal recourse to go and ensure their ability to build, which then would kick in the city's obligation to actually expend dollars for clean-up, versus the city saying, "We will not build there, we will just put a surface lot there," or, "We won't build or disrupt the material."

Mr. Turner:

But the distinction is when they come to us with the commitment of funding which kicks in this one year period, at that point in time then we start testing. We have a one year period to make a good faith effort to leave, and financial considerations are a legitimate point of that. If at that point in time we determined that we could either leave it undisturbed for \$250,000.00 or remove it in its entirety for \$7 million, we wouldn't exercise the option to give them the additional parcel.

Mr. Ferlo:

Maybe I am not reading it correctly. It implies when you read it, at least I view it as the discretion the city would have would be whether or not we want to move the maintenance or the Public Works vehicles to relocate, and the discretion is

operationally whether or not we want to relocate as opposed to getting into the environmental issue.

Mr. Turner:

The operational issues are tied into the cost of relocating.

Mr. Ferlo:

I don't think a judge would view that that way. I am not setting up a conflict here, I am only saying if five years from now, if a judge looks at this, I believe he or she would say that the Friends raised 20 million, now the city based on this agreement is obligated to go out and do whatever remedial work is needed.

Mr. Turner:

Then let's be more explicit on this then. We will give you an amendment.

Mr. Ferlo:

A couple brief questions. The business plan didn't include property tax payments?

Mr. Turner:

Correct. It is still our property, it is exempt.

Mr. Ferlo:

Do we have a legal opinion? I don't know it is going to be our burden, it may be a burden on PCI.

Mr. Yatch:

It was our understanding and our own counsel indicated to the comfort of the board before we voted on taking it that it was his belief that it was still owned by the city.

Mr. Ferlo:

I hope you are right, but I think that is going to be an issue because of the nature of the lease being 29 years, and I don't see what the distinction is between a nonprofit who is obligated to pay the property tax and --

Mr. Yatch:

We don't pay property tax as a lessor. The owner of the

property, it is the ownership of the property and who owns the property that determines whether it is taxable.

Mr. Ferlo:

No, I think it is the nature and the wording of the lease. I hope you are right, because it is going to change your business plan financial figures.

All the sudden this garage came up. I was not aware, is an actual construction of a more than one story parking garage part of the master plan or being contemplating?

Mr. Yatch:

No. We as a private entity took a look at it to determine whether or not it was at all feasible to do. At that point in time if it were feasible to do, we would be talking to the city and saying this is one way to produce revenues at this facility and reduce the financial burden for the city and the entity. It was an early look before the Regional Assets Authority was even being contemplated and it was just not feasible.

Mr. Ferlo:

But some of this language still mentions or makes mention of a parking garage.

Mr. Yatch:

If the demographics of the Oakland area make it attractive, financially attractive, to do that, then it seems to me that both the city and Phipps, Inc. would give consideration to it.

Mr. Ferlo:

Financially attractive for whom? I would rather see any notion of a parking garage be part of the city's responsibility and part of the city's agenda in terms of its Parking Authority. This notion of a parking garage seems too lucrative and I don't think it should be part of this agreement.

Mr. Cohen:

Let me ask a question. Wouldn't that be regarded as a major alteration necessitating city approval?

Mr. Yatch:

It would have to go city approval again.

Mr. Cohen:

Let's make that clear so we can discuss it then.

Mr. Ferlo:

You were going to supply us with Exhibit F. What is that exhibit?

Mr. Turner:

Exhibit F is the appraisal of the art pieces.

Mr. Ferlo:

It is the art pieces, it is whatever property or items have created value at the Phipps?

Mr. Turner:

That is the antique garden ornaments and all the sculptures and lanterns and urns and terra-cotta storage jars. Yes, we will give that you.

Mr. Ferlo:

The employees under PCI are all at-will employees as opposed to having any vested right in terms of employment rights?

Mr. Turner:

The employees, any organization has a right to organize and unionize.

Mr. Ferlo:

I am not talking about that. Setting aside the issue of collective bargaining, an employee in any organization or with any employer at least has some rights of due process in terms of being fired for just cause. The implication here under these agreements is that these employees now all the sudden -- I am not talking about city employees, I am talking whatever future employees of PCI will be at-will employees.

Mr. Turner:

They would have the same rights as any employees anywhere with respect to due process. You simply can't go in and fire people for saying they are too old or too whatever. There have to be reasons that would have to withstand --

Mr. Ferlo:

I believe there is a legal difference between at-will employees, I am not implying employees that are discharged for discriminatory practices; obviously that would be illegal. Is the presumption here that all these employees are at-will employees for PCI?

Mr. Turner:

I am not familiar --

Mr. Ferlo:

I guess my question is to Mr. Yatch.

Mr. Turner:

I am not familiar with the phrase "at-will" which evidently has some legal meaning.

Mr. Ferlo:

There are legal meanings behind the phrase "at-will employee" as opposed to employees represented under collective bargaining or employees who may have some personnel policy, some SOP that they operate by. I don't know what is here.

Mr. Cohen:

Mr. Yatch, we need you back at the table please.

Mr. Ferlo:

Whatever employees that will exist in the future under PCI, are they considered at-will employees or is there some personnel policy involved in the discharge or disciplinary action?

Mr. Yatch:

They are I believe at this point -- Tom we are at-will?

Audience:

Yes, but there is also an employment manual that outlines the standard practice and procedure of how employee grievances and things are handled.

Mr. Ferlo:

I didn't see that.

Mr. Cohen:

Any other questions? -

Mr. Ferlo:

I am just concerned that, one, we have the amendments as the Administration interprets some of the dialogue we have had here, but also that if Councilmembers have any amendments, we need them hopefully before the meeting so we can exchange. I am going to be writing up some amendments. We may want to exchange notes prior to the meeting so we are all on first base.

Secondly, we need to have Exhibit F.

Mr. Cohen:

Mr. Turner and Mr. Young, you will provide us with those amendments?

Mr. Turner:

By 9:00 o'clock.

Mr. Cohen:

And if we could have the Council amendments by then, it would certainly make it easier.

Mr. Ferlo:

Are the board members that are listed in this packet the actual legal entity of PCI or is it a few people? Who are the legal incorporators of PCI?

Mr. Yatch:

They are attached to the plan as it was presented to you. There is an outline of who the board members are.

Mr. Ferlo:

Who are the legal board officers of PCI?

Mr. Yatch:

Who are the officers? I am the Chairman, Jim Metnick is the Vice Chairman of the board, we have a secretary and treasurer to be elected at the next board meeting.

Mr. Ferlo:

The board composition of those people that I saw --

Mr. Yatch:

The list of 28, that is correct, and the task force.

Mr. Ferlo:

Do you know what the city residency profile is of the board and/or racial file of the board?

Mr. Yatch:

It is largely city membership I believe, predominantly city membership as it currently exists.

The one thing the Executive Committee members that are here asked me to stress was that we would look to make certain that it is on the record that we, Phipps Conservatory, Incorporated, have gone into this with an understanding and a desire that it be expanded, that Phipps be expanded into a larger and a broader facility than it currently is. Without that expansion, we would not have gotten the vote of the board members, PCI, to even proceed forward. So the importance of moving into the back area or other lateral areas to us is extreme. We do not believe Phipps can continue as it currently is situated and generate the revenues necessary to carry that facility in the long run.

Mr. Ferlo:

The other thing is the parking clause is unclear in terms of what is being said here and what the clause permits. The implication of the clause is that -- I assume you want to maintain the status quo; be able to have the parking, whatever you call it, the open space there, for the Phipps special events?

Mr. Turner:

In front of the building?

Mr. Ferlo:

In front of the building.

Mr. Turner:

Yes.

Mr. Ferlo:

The way the wording is, it implies that you have the sole exclusive right, which means you can also develop your own policy around parking, which means it will not be -- a lot of

people go there, for instance, and park there for Flag Staff Hill, both for special events as well as just the use of the park, which may or may not be in conflict with the way this PCI board eventually determines the space to be.

Mr. Young:

But essentially those spaces out in front that are metered along the curb and in the center, we generally got a request from Phipps when those events occur three or four times a year, whatever number, to bag the meters, and then they use those as parking for their busses and patrons. That's essentially what they do because there is no other convenient parking in the general area and it would discourage people if that parking was not available.

Mr. Ferlo:

I am talking about the middle space, whatever you are referring to.

Mr. Turner:

Island. Section 1501.

Mr. Ferlo:

The implication is that PCI will now be in control and have exclusive right.

Mr. Turner:

No. It is "Landlord shall grant." So we are not required to. The intent was to essentially use the island the same way it is used now, and during major show times that is reserved for Phipps Conservatory. But the rest of the year it is used by students, it is used by people going to Schenley Park, what have you.

(END OF REMARKS.)

(Transcribed by Helen L. Kriebel, Stenotype Reporter.)

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Mr. O'Connor:

I'd just like to briefly--we spent over five hours on this and I think Mr. Ferlo brings up some good points but I want to make sure the listening audience is aware that this is much more of a public/private partnership now. I would like to just ellude a few minutes as Councilman Smith brought up a very important point on the liability and environmental problems. It goes back into our hands. We have the right to lease it to them or not. If its an outrageous cost-- any parking facility has to be approve by City Council.

We worked out the agreement on a lease because I had alot of concerns about the time on the lease. Its now set for 29 years with a 20 year option. The way the option would work they could kick that in with a five member panel saying proving that they have done a good job and that there are no problems. For example in year 15 if they wanted to do a major renovation they could come before Council and Council could approve that option kicking in. In other words that was one of their questions why they wanted such a long lease. So Council still controls that option and the last two options we've changed to 25 year options each with City Council's approval. Council has a lot of final say on all of this lease.

I think we brought up the minority practice is in it. City Council again must the final approval on any major alterations development there. The front lawn which I'm very concerned about and members of Council are again even after the historic review would see it. It comes back to Council. Council has final approval on any art sale or any valuables has to come through us. I think Councilman Onorato I know brought up a very good point. It would be part of the regional asset district. It would be included in any monies that came from the regional asset which we're hoping and trying to get.

I believe in the last two days Council has alot of input not only passing it but controlling it and being a true partner which alot of us brought up questions. I believe its a good lease, its good for the public and its good for the Phipps.

Mr. Ricciardi:

Thank you Mr. Wagner. I will be very brief. These are very difficult and important decisions. Anytime we decide to enter into any type of public/private partnership. I think in my case I'm keeping in mind that the subsidy up and above the date receipts were in excess of \$500 thousand and \$800 thousand. That's discounting any of the capital improvements. Keeping in mind some of the important issues that face my district and the City of Pittsburgh in terms of infrastructure repair, in terms of maintaining our roads, in terms of refuse pick up, public safety issues really keeping in respect and who really attends the Phipps Conservatory and so many of our non-city residents.

I think its a decision that needed to be made in order to really keep track of the tax dollars and making sure they go into prioritized services. Right now its very difficult for me to vote for this public/private partnership. Its a jewel and I'd hate to lose any control. I really have to begin to prioritize City Government what its about. I believe City Government should be providing good police services, fire services, EMS, maintaining our roads, picking up our garbage on time and on a routine matter and snow removal. These are what I'm concentrating on. That's why I'll be voting for this public/private partnership today.

Mr. Cohen:

Thank you Mr. President. I think there has been alittle bit of mischaracterization of this deal that occurs to me. Not at all by Mr. Ricciardi. I agree with what Mr. Ricciardi said. But this is

not a sale of Phipps. Let's make it very clear that the City retains the ownership. It is not a sale. It is a lease. We may agree or disagree on whether that's a good public policy move but that's what it is.

Secondly, it is not privatization. A lot of people have been calling this a privatization. In a true sense of the word it isn't because it's not a transfer of either ownership or control to a private entity, private corporation, profit making. It's a transfer of lease hold interest and management to a non-profit organization. A non-profit organization that certainly has the best view of Phipps and the best view of the City in mind because it's a combination of Phipps friends and many other individuals who have been very sensitive to this institution for a long time. I think that this is the best thing to do for Phipps and I think it's the best thing for the City because it will help preserve a fantastic institution. At the same time allow the City to be able to undergo those priorities that Mr. Ricciardi spoke about.

Mr. Onorato:

Yeah the bottom line the way I look at this whole thing is that this Council can no longer wait for Harrisburg or any other regional funding source to come from any area because we have to move. The decisions we have in front of us right now; do we try to have these public/private partnerships and spend of these institutions into other hands so that we can have relief or do we sit here and wait and tax through real estate or wage tax. We have to act and I think we're acting very reasonable.

We have the best of both worlds. We are spinning off a liability in terms of subsidies but at the same time we're keeping these facilities open to everyone in the City of Pittsburgh. I think we're doing it the best way because we do keep some control by one, sitting on the boards having member of this Council sit on the board along

with the private sector. Also any major changes and renovations still have to come back to this Council. This Council does have a control. We do protect the citizens and that these facilities could never just disappear or be sold. At the same time we protect our taxing right and protect the wallets of the citizens of the City of Pittsburgh. Hopefully, one day we will see this regional funding source and then everything can go back to control at a regional level.

Michelle Madoff:

I think that everything that was said would be something I would be in agreement with. I think the most important thing hasn't been said. The obvious is that the beneficiary that if we're going to keep that jewel, in Phipps Conservatory and its going to continue under good hand.

About eight or nine years ago when I started talking about the fact that we couldn't afford. Mr. Perry is this correct? We could not afford the Zoo, the Aviary, the Conservatory and we ought to be turning it over to a management in a similar way that we originally had the zoo. The tax payers couldn't afford it. The sad part is that we are all—we've been forced in this Council into being reacted not proactive.

It is a disgrace that the previous Administrations have allowed it to come to this time. If we had when monies were a little bit easier to obtain transferred, the Zoo, Phipps, the Aviary into private hands even though we have the same kind of arrangement that we're going to have today. Those tax dollars and that burden would not have been placed upon people that can't afford them. We would have been visionaries who knew what had to happen.

I'm not a genius but I knew it had to happen. We should have had it happen. The Administration should have made happen long

real estate transfer tax involved. But the actual owner will always be the City.

Its just a matter of what's a definition of a real estate transfer tax and who should pay it. Does 99 years acutally mean a transfer. It could be. It has in the past. That doesn't mean we give the legal title away. It's just dealing with the tax issue. Legal title is with the City and it will stay here.

The Chair:

Is there any further discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. Ricciardi
Michelle Madoff	Mr. Smith
Mr. O'Connor	Mr. Wagner
Mr. Onorato	(Pres't)

AYES 7 NOES 1

(MR. FERLO VOTING NO)

And a majority of the votes of Council being in the affirmative, the bill passed finally.

MOTIONS AND RESOLUTIONS

The Chair presented

No. 2787 Resolution appointing Reverend Louis F. Vallone, St. Peter Parish, 720 Arch Street, Pittsburgh, PA 15212, as a member of the City of Pittsburgh Human Relations Commission for a term to expire July, 1996.

Reverend Vallone is succeeding Floyd Titus.

Which was read.

Mr. Ferlo moved to have the appointment in front of Council.

Mr. Ricciardi seconded the motion.

Which motion prevailed.

The Chair:

Immediately following this we have a post agenda being held by Councilman Ricciardi pertaining on various streets in the South Side.

Michelle Madoff:

I'd like to bring to the attention of Council and the public that we have property for sale many are not the most valuable there not in the high rent district. But they certainly provides homes for people who other wise couldn't afford them. We have a process that I've been working on since the first 6 months I arrived in this Council. Now we have a piece of property and I want to read a letter that came from the Mount Washington Community Development Corporation that I help create. It's addressed to the Real Estate Division, Urban Redevelopment Authority of Pittsburgh. It says:

"Dear Mr. McKenzie:

It has come to our attention that the URA real estate division is recommending the sale of a portion of the land on the north side of Bailey Avenue, 19th ward, lot number 147 in block M. This was the right-of-way for the Castle Shannon incline. The information is that the land will be sold in a closed transaction for the sum of \$5,000.

The MWCDC is concerned that the URA may undertake this sale without the public notice

before now. Anything that would stop this transfer to take the monkey off the back of the taxpayer would be outrageous. I'm delighted that while I am a prophet in my own time it has finally come to be. It has taken years and years of bringing this issue up bringing it up but really what happened is that we just ran out of money. Any Administration that doesn't know— grant that times changes, that money is becoming tighter and tighter got their head in the sand. I'm glad we're beginning to take it out. Not because we're becoming enlightened. Its not an enlightened Administration its Administration's had the dollars cut off.

I would hope that this Council would work with the new Administration which I believe is an enlightened Administration to not get into this kind of bind in the future. When you see in advance that something is going to happen. Make your move. Don't wait till your at panics door and the money isn't there and you're going to lose the facility. I think that's an important thing to have been said.

Mr. Smith:

Yes sir. If someone would help me clarify something. In Section 1.05, Section D, was that not added yesterday at the table? That's on page 7. Its the sections that Mr. Ferlo amended. Everyone has sat here and just said we're giving it away because we don't have the money and what's left in Section D says we will pay them to take us to court to take our land. We will reimburse them for all the cost that are in that.

Now I am a lay person but we're agreeing to reimburse the tennant for any real estate transfer tax. I don't understand. Why are we agreeing?

The Chair:

I believe its a wash if I'm not mistaken the

way its worded.

Mr. Smith:

My point is we're giving up this property for free. There's not cost of sale.

Michelle Madoff:

They're saving us millions of dollars.

Mr. Smith:

That doesn't really matter to me. What matters to me is that this was a gift to every citizen and the City of Pittsburgh. I need to make sure that before I sit at this table the right decision for 99 years is being made. Are we losing the ability to retain the property.?

If there's an agreement that real estate transfer—I've asked the question earlier. What does real estate transfer mean? Because I'm a novelist. I cannot support this if we are basically saying that you would be able to snatch the property based upon a principal that we discussed at the table that said that if the lease agreement wasn't written in a specific way it would be interpreted that we were transferring it. That it was not a lease but a sale. I sit here confused. I cannot support this under this pressure if I don't get a clarification that makes me happy.

The Chair:

Councilman Smith let's ask Councilman Onorato.

Mr. Onorato:

I think the reason it is in here is because-- you're right Councilman Smith that the lease might be interpreted as a real estate transfer because the length. But therefore you can have

and competitive bidding. The rumored transaction price we believe to be below market value for a city-view property, particularly considering the development possibilities with the combination of lots 174, 164, 160 and 158.

Planning for the orderly growth and protection of our community property values is the mission of the MWCDC. We need your cooperation to accomplish this mission. The closed transaction appears to our members as inappropriate to the point that it brings discredit on both of our organizations.

We would like to work with you and the Planning Department on the re-use of the former incline property. None of it should be subdivided or sold without a full discussion with the CDC.

Thank you for your cooperation. I can be reached at 481-1535 or 381-1665.

Sincerely,

David H. Miller
President

cc: Mulugetta Birru
Ben Hayllar
Jane Downing
Michelle Madoff
Duane Darkins"

The point is that here we have a piece of property and a directed sale, directed sale by the Finance Department for \$5 thousand. Let me tell you how I happened to get interested in this not only because the community contacted us. I did not know about this directed sale. Sometime ago I was looking for a piece of property to build a home. Unfortunately at that time this area was not in my district. When I went looking I found some property similar to this, much smaller they were selling it for \$40,000 to \$60,000 with this

kind of view.

If you look in the photograph you'll see the trees need to be cut back and so on. That's looking at ground level. Houses are not necessarily ground level. Your living room could be upstairs and so on. We could probably get three or four town houses on it. The gentleman who wants to buy the property is a very fine gentleman who lives has and apartment next door is an architect. He didn't even know that it was at \$5,000. The mismanagment which came not from URA. URA is the scape goat in this. It was of course good ole City Planning and good ole Real Estate Department that runs the sloppiest operation in America.

I've asked Mr. Birru to please look into this. He said he would and to stop that sale. What I will do--since the asking price or the opening bid price will be \$5,000 if anyone can put up some money. I did this once before in Shadyside about 12 years ago, to make sure it goes to auction. The highest bidder would get the sale. I will not keep this property but I want to make sure it goes to auction.

It seems to me that this really speaks volume of how we have been running our Real Estate Division. This is prime Mt. Washington property with a fabulous view and its a big lot for \$5,000. I'll give you six sight unseen. You get the picture. I just want everybody to be alert. This is a sale that started years ago. It was never finished. Incidentally, Paul the architect he has to pay for subdividing it himself. I mean this thing gets bizzare by the minute.

I just wanted to bring it to your attention and I'm going to make sure and I would hope that I have the support of this Council that it goes to auction and the highest bidder not just giving away our City tax property and value the taxpayer's entitled to it.

Mr. Ferlo moved to approve the Minutes of Tuesday, May 4, 1993 and Tuesday, May 11, 1993.

Mr. Cohen seconded the motion.

Which motion prevailed.

And on the motion of **Mr. Ferlo**

Council adjourned.